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# Horae Decanicae Rurales.

An Attempt to Illustrate,  
By a Series of Notes and Extracts,  
The Name and Title,  
The Origin, Appointment, and Functions,  
Personal and Capitular,  
of  
Rural Deans.

WITH A FEW INCIDENTAL REMARKS ON

The Rise and Decay of Rural Bishops,

AND ON THE

Incardinatio of Parochial Clergy.

TO WHICH IS ADDED, AN

Appendix of Documents, Ancient and Modern.

BY

WILLIAM DANSEY, M.A.

PREBENDARY OF SALISBURY, RECTOR OF DONHEAD ST. ANDREW,

Rural Dean.

—  
VOL. I.

SECOND EDITION.

—  
LONDON:

J. G. F. & J. RIVINGTON.

MDCCCXLIV.

*Synod. Laodicea. CAN. LVII. A. D. CCCLXIV.*

ΟΥ ΔΕΙ ΕΝ ΤΑΙΣ ΚΩΜΑΙΣ ΚΑΙ ΕΝ ΤΑΙΣ ΧΩΡΑΙΣ ΚΑΘΙΣΤΑΣΘΑΙ ΕΠΙΣΚΟΠΟΥΣ,  
ΑΛΛΑ ΠΕΡΙΟΔΕΥΤΑΣ.

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*Isidorus Mercator.*

NON OPORTET IN VILLIS ET VICIS EPISCOPOS ORDINARI, SED *Visitatores*, ID EST,  
QUI CIRCUMEANT, CONSTITUI.

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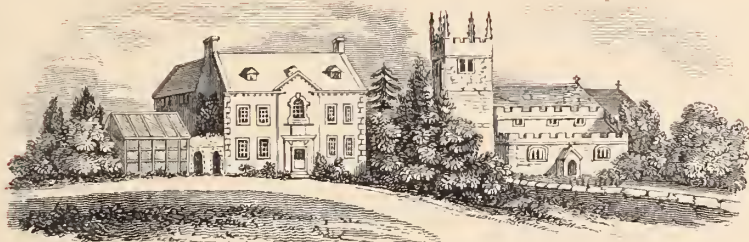
*Concil. Ticinen. CAN. XIII. A. D. DCCCL.*

PROPTER ASSIDUAM ERGA POPULUM DEI CURAM, SINGULIS PLEBIBUS *Archipresby-*  
*teros* PRÆSSE VOLUMUS; QUI NON SOLUM IMPERITI VULGI SOLLICITUDINEM GERANT,  
VERUM ETIAM EORUM PRESBYTERORUM, QUI PER MINORES TITULOS HABITANT,  
VITAM JUGI CIRCUMSPECTIONE CUSTODIANT, ET QUA UNUSQUISQUE INDUSTRIA DIVI-  
NUM OPUS EXERCEAT, EPISCOPO SUO RENUNTIENT.

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*Gibson's Codex Jur. Eccles. TIT. XLII. CAP. VIII.*

THE *Chorepiscopi* HAD THE INSPECTION, UNDER THE BISHOP, OF THE CLERGY IN  
THE COUNTRY, AND OF THOSE PARTS OF THE DIOCESE WHICH WERE REMOTE FROM  
THE EPISCOPAL SEE; TILL, IN THE COUNCIL OF LAODICEA, ANN. 360, IT WAS OR-  
DAINED, THAT NO BISHOPS SHOULD BE PLACED IN COUNTRY VILLAGES, BUT ONLY  
ΠΕΡΙΟΔΕΥΤΑΙ, *Itinerant* OR *Visiting Presbyters*.



## Preface.

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NON abs re mihi visum est fore, si quæpiam afferrem, ut  
 faciliùs ad memoriam revocarentur sanctissima priorum instituta,  
 quibus observatis, nostra CHRISTIANA RESPUBLICA et aucta est semper  
 et conservata. JOH. FRANC. PICI, MIRANDULÆ DOMINI, *De Reformandis*  
*Moribus Oratio.* FASCICULUS RERUM, p. 417.



WENTY years have nearly passed away since my  
 attention was first directed to the subject-matter of  
 these volumes; and scarce less than half that period,  
 since the former edition was committed to the press.  
 During the interval from the latter date, I have not  
 been unmindful that a second impression might, at  
 some future day, be called for; and with that view I have availed



*myself of every opportunity which has offered of gathering additional information to illustrate it<sup>1</sup>.*

*The period is now arrived at which that call is made; and, being prepared for it, I feel it to be my duty to respond to it without delay; nay more—so long as the Church solicits information on this subject, to supply it, at my own risk, in the fullest and most attractive form I can.*

*If it has been my privilege, as I am told in reference to the former edition of these notes, “to render an acceptable service to the Church, by a seasonable addition to the history of ecclesiastical discipline—in a department wherein Thomassin, Van Espen, Gibson, Burn, Bingham, and others, whose compilations are considered to be the most elaborate and complete in their kind, are essentially defective”—I can only say that I am most grateful for the opportunity afforded me of so far serving the institutions of the Church; and I trust that the present new and improved edition may be found further helpful to the same holy cause. It is indeed matter of heartfelt thankfulness to an obscure individual, in the retirement of a country parsonage, to have been allowed by a series of publications, from time to time renewed, to awaken the attention of those in the higher places of the Church to the utility and importance of a branch of our diocesan system, which for many centuries had been so generally and unaccountably forgotten. Since the*

(<sup>1</sup>) The only works of which I had in vain endeavoured to procure a sight, when my former edition was published, viz. Zeltner's *Tractatus de Periodicis Veteris Ecclesiæ Restituendis*, and Schmidt's *Dissertatio de Synodis Archidiaconorum et Archipresbyterorum in Germaniâ*, I have since had an opportunity of consulting; but I find nothing in those compilations which my own researches had not already realized to my readers. I mention this here, as in my former preface these works were anxiously inquired after.



publication of Archdeacon Priaulx's little Tract<sup>1</sup>—the first of the series alluded to—entitled, *A brief account of the nature, use, and end of the office of Dean rural, with copious annotations by the EDITOR (A.D. MDCCCXXXII.), the institution has been partially revived in almost every diocese of England, in some few of Ireland—for in some it before existed,—and has even been introduced into the Colonies*<sup>2</sup>.

*Though far from insensible to this fact, and to the general approval bestowed on my researches by the Clergy at large, and by those more especially who are engaged in diocesan government, I regret that I am still compelled to speak of the revival as partial and incomplete. I should accept as my most cherished reward the practical adoption of the entire administrative system, of which I am the humble advocate. —But this is not yet realized. Our diocesan economy is still defective. Rural Deanries, it is true, exist as cantonments of all our ancient dioceses; while rural Deans are still wanting in some, rural chapters in almost all. With the utmost deference I would ask, why should this be? why should we, in any instance or degree, repudiate what our forefathers found experimentally so helpful to local order and discipline in the Church? If Deanries are to be kept up, why not their superintendents? and if Deans are admissible, why not chapters? Why should we sever what the Church of old always united? Why, in short, should not Deans and chapters co-exist in every deanry of*

(<sup>1</sup>) Reprinted in the Appendix, Vol. II. Salisbury Documents.

(<sup>2</sup>) I have pleasure in recording that rural Deans are acknowledged in several Acts of Parliament of late years, as concerned in the ecclesiastical administration of the Empire; and that his Grace the Lord Primate, in his *Charge delivered at his ordinary visitation in September MDCCCL.*, expressly states, that “Their authority, which has hitherto rested on the voluntary acquiescence of the clergy, will in future have the sanction of law.”

every diocese?—"Sure I am," says Bishop Atterbury, when Archdeacon of Totness, "that if ever a re-establishment of church-discipline in its vigour be sincerely intended, one, and a chief, method of promoting it must be by a restoration of rural deans and chapters to the full extent of their ancient powers<sup>1</sup>."

Toward effecting this object somewhat has been already done, as these pages will shew; but I would assure those who have been backward in doing more—who have adopted the rural-decanal scheme only in part—who have functioned the revival of deans rural, but have taken no steps towards connecting them with their legitimate adjuncts, the rural chapters, from which, as it appears to me, they were never disjoined in the days of a more perfect discipline—that they have left half their good work undone: they have mutilated the integrity of the office, have abridged its usefulness, and deprived it of much of its distinction and influence. While remaining in its present maimed and lifeless state, it may well be said of it as of Lucan's oak—

" ——— nec jam validis radicibus hærens  
Pondere fixa suo est; nudosque per æra ramos  
Effundens, trunco, non frondibus, efficit umbram."

Feeling this very strongly, I once more respectfully, but earnestly, solicit the attention of the hierarchy, the bishops, and archdeacons, to this still slighted branch of the decanal institute, and to the arguments and examples whereby its restoration is abundantly recommended in Part v. Sect. iv. of my second volume, and in the Documentary Appendix of the dioceses of Winchester, Chichester, Exeter, and

(<sup>1</sup>) This last expression, "to the full extent of their ancient powers," is of course to be understood, as doubtless it was spoken to the assembled clergy of the arch-deaconry, with some degree of qualification.

*Salisbury. I do so in the hope of being further instrumental to reviving generally the capitular organization of the rural deanries, and thereby restoring that semblance of symmetry and completeness to the scheme of ecclesiastical administration, which our Christian forefathers designed for us in all its fulness and efficacy, and carried out themselves in practice to the great advantage of the Church.*

*I would ask those who have doubts about the propriety or utility of restoring local synods of the clergy under decanal superintendence to read the late Bishop Otter's Letter to the rural deans of the diocese of Chichester; Archdeacon Atterbury's Charge to the Clergy at Totness (both printed in my Appendix); Archdeacon Hare's at Lewes (A.D. MDCCCXL.); Archdeacon Thorp's at Bristol (A.D. MDCCCXL.); Archdeacon Lear's Address at the opening of the decanal chapters at Sarum (reprinted in my Appendix); my Letter to the latter, with the authorities there quoted; the British Critic for April MDCCCXXXVI., and July MDCCCXL.; and the more recent remarks of Bishop Thirlwall on the subject, in his Charge to the Clergy of the diocese of St. David's (A.D. MDCCCXLII.)*

*As to the new matter contained in this edition, I may observe, generally, that it is scattered through the text, notes, and appendix; wherever, in short, it was applicable. Many unpublished instruments of recent date are introduced, by the kindness of our Church-rulers and others, into the Appendix of English Documents: while, in reference to Ireland, I am happy to say that the additional information supplied by more extensive researches on my own part, aided by the correspondence of learned friends on the other side of the channel, has enabled me to adopt the same diocesan arrangement as in the English fees; a great improvement upon the former edition, wherein the information respecting the decanal office in Ireland was confused, meagre,*

*and unsatisfactory in the extreme. My most respectful thanks are due, under this section, to the Lord Primate, the Archbishop of Dublin, the Bishop of Down and Connor and Dromore, the Dean of Lismore, the Precentor of Ossory, the Archdeacon of Cork, the Rev. Drs. Todd, Boyton, Wilson, and West, the Rev. A. Irwin, C. Crosthwaite, W. Reeves, and others. To Dr. Todd I am particularly indebted for a MS. copy of the Visitation-Book of the province of Armagh (A.D. MDCXXII.)—presented with a liberality which must be attributed to the general interest which he takes in the subject of Church-antiquities, and with a courtesy for which I feel individually most grateful.*

*I wish it had been in my power to have achieved as much for Scotland as for Ireland. Indeed any attempt to illustrate the rural-decanal discipline of the Episcopal Church of Scotland might be thought by some, under the present depressed condition of that branch of the Church Catholic, and the mutilation of her diocesan and cathedral staff, beyond the reach of this inquiry. But it must be borne in mind, that we have to do with other times than those in which we are living. Our evidences of Scottish Church-economy, such as they are—and would that they were more copious, and embraced more of the ancient sees—are all adduced from records of the olden time, when the polity of our northern sister was as fully developed as our own. True it is, that the main inducement to inquiry and illustration is there wanting; the examples of days gone by can no longer stimulate to imitation as with ourselves;—while here the discipline of antiquity is, at least thus far, recoverable; the decanal system may be revived and adopted at any time in its fullest measure; and it is cheering to see that we are daily striving to regain it. Not so our less favoured brethren of the north. The office of rural dean, as far as I am informed—and I speak on the authority of Bishop Russell, the able historian of the*



*Church he so well serves—has not been recognised north of the Tweed since the sixteenth century. Indeed, the Episcopal Church in Scotland, between the Reformation and Revolution, presents a form so incomplete, and in some respects so anomalous, that nothing favouring of primitive order and discipline in her administration could be reasonably expected. Nor, in truth, under more favourable circumstances, could it be supposed, that, while the ruri-decanal office had become obsolete and antiquated in England, it should have shewn any symptoms of life and vigour in Scotland. While struggling for a bare existence, the Church of the latter country could not venture to lay claim to those decorations of office in her diocesan machinery, which were hers in her more prosperous days of national recognition. All these, however, may hereafter come back upon her, with a more than tolerated episcopate, in God's appointed time. Her scattered documents—"fragmenta tantum flebilis naufragii"—it is our duty, in the meanwhile, to gather up and dispose of to the best advantage, that it may be seen that England and Scotland were heretofore one and the same in that department, at least, of their ecclesiastical system, which it is the object of these pages to explain and recommend. Time and further research may bring to light more of Scotland's much-desiderated Church-records, in the form of diocesan canons and constitutions. Something has been lately done by the learned Antiquarian Societies of the North—the Maitland and Baunatyne Clubs<sup>1</sup>—in behalf of the sees of Glasgow and Moray. Something is now doing in behalf of that of Aberdeen by the Spalding Society; and more, perhaps, may be expected from the zeal of Archæ-*

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(<sup>1</sup>) See *Quarterly Review*, No. CXLIV. Sept. MDCCCLIII. p. 379. I have to thank the Hon. W. L. Melville for a loan of the *Registrum Episcopatus Morabiensis*, and the *Registrum Episcopatus Glasguensis*, courteously granted, at the solicitation of Professor H. H. Wilson of Oxford, in furtherance of these researches.

ologists in illustration of other sees hereafter. Whatever has been hitherto published in Wilkins's and other collections of earlier or later date, has been turned to account in the following pages.

To Bishop Coleridge we owe the first attempt to carry out, in the Colonial Church of the British Empire, the rural-decanal machinery which has been found so helpful to diocesan government at home. My readers, I am sure, will feel grateful to his Lordship for giving me the opportunity of enriching my Appendix with the first rural-dean's commission in one of the first-created West-Indian bishopricks, together with the scheme of territorial administration devised by himself, and subsequently altered and extended by his successors to meet the exigencies of their increased responsibilities. Bishops Parry, Davis, and Austin have followed Bishop Coleridge's steps in the regimen of the dioceses of Barbados, Antigua, and Guiana; nor had his example been disregarded by Bishop George Aubrey Spencer in the newly-created diocese of Newfoundland, when he was translated thence to the see of Jamaica; where it is to be hoped he will pursue the same system of rural Church-government.

Rectory House, Donhead St. Andrew,  
Saint Philip and Saint James's Day.





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THE RELATIVE ANTIQUITY OF THE MOST APPROPRIATE **Titles**.

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Remarks of the editor—his partial dissent from the author. The theory said by



Atterbury to be founded in error—his reasons. Also objected to by Whitaker—his censure of Kennett, Warner, and Burn.

Many things conspired to the introduction of *deans rural*, according to Stillingfleet and Atterbury—the principal of which were the abolition of *chorępiscopę* in the west, and the avocation of bishops from spiritual to secular business. Dr. Inett's dissent—his hypothesis not unreasonable, as applying to the *decanal* institution of the reign of William I. Extract from the *Origines Anglicanę*.

The baronial services of the bishops allowed by Inett to have operated to the establishment of *deans rural* in some degree—Not so the abolition of *chorępiscopę*. These and rural *deans* had their origin, in Inett's opinion, at the same time; and may be traced to the multiplied business of ecclesiastical jurisdiction needing other helpmates. The editor suggests that the *dean rural* of Ireland succeeded the *chorępiscopę*. Notices of *deans rural* in England in the twelfth century. *Deans* of Craven in Yorkshire, and of Thetford in Norfolk. Whitaker's objections to Kennett's date of the institution, as subsequent to Alfred's reign—to Johnson's again, as wandering yet farther from the truth. Whitaker places it in the seventh century—a proofless assertion.

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### PART III.—The Election and Institution of *Deans Rural*.

#### SECT. I.—RIGHT OF ELECTION.

The designations of *deans rural* in many early councils are indicative of bishops being the authors of their appointment, as they were of those of the *chorępiscopę* and *perіodeutę*. The clergy first elected their own *deans*, subject to the bishop's approval. After confirmation, *deans rural* not removeable by the bishop without the consent of the electors. In the year dcxxxiii. of Christ, the *archępresbyteral* office was elective—the electors being by delegation, the archdeacon, clergy, and people—the same in the year dcccclv.—the bishop having no power of displacing an *archępriest*, except for crime. A curious canon of the council of



Tours. Such power of election, permissive on the part of the bishop. Elective character of the cathedral dean. This appointment lost to the diocesan—not so the dean rural's. No farther notice of the people, as co-electors. Archdeacons continue joint electors with the bishop. Hincmar's instructions to his archdeacons on the subject of electing deans rural. The bishop reserves a veto on the appointment. Arnulph, bishop of Lisieux, allows his archdeacon to present, subject to episcopal approval. The clergy of Ferrara elect their archpriest, with the same reservation in favour of the bishop, who may ratify or not. Deans rural made subject to archdeacons, and named from their very subjection; which is rendered absolute by Innocent III.—appointed and displaced by the bishop and archdeacon conjointly. Lyndwood's glosses upon this doctrine of the Pope, confirmatory of the concurrency of jurisdiction.

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# Horae Decanicae Rurales.

## PART I.

### The Name and Title.

#### SECTION I.

SUMMARY VIEW OF THE **Titles** APPLIED TO THE **Dean Rural**: THE  
RELATIVE ANTIQUITY OF THE MOST APPROPRIATE **Titles**.



ANY have been the names and titles of the rural dean, at different periods and places, if we may believe glossariographers, and admit, as his appellatives, all that conjecture has collected in their columns. But of these, some do not pertain to the dean at all; others are of local and partial application:—two only can be called his rightful property; viz. **Archipresbyter**<sup>1</sup>, with its synonyms, derived from presbyteral primacy; and **Decanus**<sup>2</sup>, from a presidency over ten, either persons or places<sup>3</sup>.

See Spelman. *et* Ducang. *Glossar.* Macri *Hieroglyphic*, *et* Hoffman, *Lexic.* in vocibus *Archipresbyter*, *Chorepiscopus*, *Corba*, *Corbanus*, *Curio*, *Decanus*, *Parochus*, *Periodonta*, *Plebanus*, *Protopapas*, *et* *Protopresbyter*.

(<sup>1</sup>) "*Quemadmodum inter episcopos episcoporum primus, sive antiquissimus, dici capit archiepiscopus, et inter diaconos primus, sive ceteris antiquior, dictus est archidiaconus, ita primus presbyterorum archipresbyter vocatur, quasi presbyterorum primus, sive praefectus.*"

(<sup>2</sup>) "*Decanos vocant eo quod sint denis praepositi.*"

(<sup>3</sup>) It will be shewn, in future pages, that to one of the titles mentioned in the marginal reference, viz. *periodonta*, *Græcè περιουδεντης*, the **Dean Rural** of later days may lay claim as the Eastern archetype of his office.

Aug. Barbosa de *Canonicis et Dignitatibus*, cap. vi. p. 64.

Augustin. de *Moribus Ecclesiae*, L. I. c. XXXI.

Gibson's *Cod.*  
I. E. A. Tit. XLIII.  
c. VIII. p. 971.  
Somner's *Antiq.*  
of *Canterbury*,  
Part I. p. 175.

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V. et N. E. D.  
Part I. L. II.  
c. III. p. 221.  
Morin. de S. O.  
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XVI. c. II. p. 215.  
c. III. p. 218.

SS. CC. Tom. III.  
col. 88, 89.

Battely's *Cant.*  
*Sacr.* Part. IV.  
c. II.  
*Hist. Eccl.* L. VI.  
c. IX. p. 323.

*Hist. Eccl.*  
L. VIII. c. XII.  
p. 341.

Annot. ad H. E.  
Socrat. loc. cit.  
not. 2.

Jacobi Goar.  
*Eucholog.*  
*Græcor.* p. 287.  
Bevereg. *Synod.*  
Tom. I. p. 438, 9.

*Theaur. Eccles.*  
Tom. II. col.  
876. in v.  
πρωτοπαπῆς.

The former is the more ancient title, being that by which ecclesiastic deans of all kinds, whether cathedral, urban, or rural, have been generally known in the records of the church from their first creation, and are still designated in the writings of canonists.

Though of Greek extraction, the term archipresbyter is of Latin origination and application; the oriental church employing the less imperious style of ΠΡΩΤΟ-ΠΡΕΣΒΥΤΕΡΟΣ<sup>1</sup>, ΠΡΩΤΟΙΕΡΕΥΣ, and subsequently ΠΡΩΤΟ-

(<sup>1</sup>) So Arfacius, who succeeded Chrysostom in the bishopric of Constantinople, is styled (*in Actis synodi ad Quercum, A.D. cccciii.*) ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ and Martyrius πρωτοδιάκονος. But, inasmuch as St. Stephen is called, in the Greek *Menology*, protodeacon and archdeacon, and the Πέτρος τις ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ τῆς ἐν Ἀλεξανδρίᾳ ἐκκλησίας of Socrates is the identical archpriest, Peter of Sozomen—ἐπιπῆται Θεόφιλος τὸν τότε ΑΡΧΙΠΡΕΣΒΥΤΕΡΟΝ, κ. τ. λ.—the sameness of the respective offices is shewn under the diversity of title. (See *Centur. Magdeburg.* Cent. v. cap. vii. p. 735. *de gradibus personarum.*) And Goar, in his version of the *Euchologium*, invariably translates ΠΡΩΤΟ-ΠΡΕΣΒΥΤΕΡΟΣ by archipresbyter.

Valesius, the learned editor of Socrates, however, considers the terms archpriest and protopriest not convertible: for several archpresbyters occur in particular churches, he says; but never more than one protopresbyter:—archpresbyters again, in villages and towns, successors of the chorepiscopi, but protopresbyters only in cities; whence, in the *Euchology* of Goar, ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ τῆς πόλεως. And yet, let me observe, the ΠΡΩΤΟΠΑΠΑΔΕΣ of Balsamon *ad Can. viii. Antioch.* have to do with the country; answering to the πρεσβυτέρους τοῖς ἐπὶ χώρᾳ πρωτεύουσιν of Aristenus on the same canon: and Suicer says of the protopapa, that he clearly is “*vel primus presbyter, vel sanè archipresbyter Latinorum.*” And, more to the point, it will be hereafter seen, in a passage cited from the tomes of the councils (*Mansi Supplement. ad SS. CC. Tom. vi. col. 352.*), that the title of protopresbyter is applied to the dean-rural in the council of Reussen of the year MDCCXX. Tit. ix.

ΠΑΠΑΣ<sup>1</sup>—in harmony with their early nomenclature, which gave to the archdeacon of the east the title of πρωτοδιάκονος—distinctions still observed in the same church in the orders of proto-hierey or protopope, and protodeacon.

Protopresbyter, however, being a title of mere precedence, is not so appropriate to our western dean as archpresbyter, which implies governing power and authority in addition to bare rank; though, in the Greek church, the two names are evidently used synonymously, the ΑΡΧΙΠΡΕΣΒΥΤΕΡΟΣ of Sozomen being the ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ of Socrates.

Applied to the chief spiritual officer under the bishop in *matrici ecclesiâ*<sup>2</sup>, the Greek terms appear, for the first time, in the church-history of the fifth century; the Latin title archpresbyter (for we have no instance of protopresbyter in that language—at least, none of ancient date) occurs a century earlier, in an epistle of St. Jerome,

King's *Greek Church*, p. 267. and MS. Add.

Morisan. *de Protopapâ Diatribe*, c. III. p. 40, seqq.

Sozomen. *II. E. L. VIII. c. XII.* p. 341. Socrat. *H. E. L. VI. c. IX.* p. 323.

(<sup>1</sup>) When the presbyters of the Greek church began to be called παπάι—papæ, papades, or papates, the protopresbyteri became protopapæ—a title which occurs for the first time, I believe, in Scylitzes; who mentions Stylian as a protopapas (circa A.D. DCCCLXIII). On the word *papas*, see Morisan. cap. IV.—It seems that πάπας signified *episcopus*, and παπᾱς *presbyter*—"ut paulatim definere inter episcopos id nomen cepit, ita circumflexâ pronuntiatione, elatum crevit deinde inter presbyteros," says the author of the *Diatribe* on protopopes.

(<sup>2</sup>) "*Matrix ecclesia propriè ea dicebatur in quâ episcopus ipse cum presbyterio suo, quod nunc capitulum canonicorum dicitur, residebat, cathedralis hodiè vocatur.*" In the Latin councils it is variously called, *cathedra*—*matrix cathedra*—*civitatenfis ecclesia*:—in the Greek, ματρίκιον—κυριακὸν τῆς πόλεως. From which last term, κυριακὸν ("the Lord's House, because erected not to man, but to the honour of our Lord and Saviour") is derived the Saxon *Byrik*, the Scotch *Byrk*,

Morisan. *de Protopapâ*, c. III. p. 42. c. IV. p. 58.

See Bingham *O. E. B. II. c. II.* s. 7.

Suicer. *T. E. Tom. I. col. 321.* in v. Ματρίκιον.

Cave's *Primitive Christianity*, c. VI. p. 135.

*Epist. iv. ad Rusticum, circa med.*

*SS. CC. Tom. II. col. 1438. Edit. Colet.*

*Synodic. T. II. Annot. ad Can. i. Conc. Chalced. p. 108. CC. Illustr. Hartman. et Ruelli, T. II. p. 354.*

*SS. CC. Tom. II. col. 318. et CC. Illustr. Tom. II. p. 339.*

*Pandect. Canon. Tom. II. Annot. in CC. Conc. Ancyr. p. 178. c. XV.*

*Tractatus Historico-Canonic. ad Cann. Conc. P. II. sec. IV. p. 9.*

*Epitome of CC. p. 45.*

(*A. D. CCCLXXVIII.*) “*Singuli ecclesiarum episcopi, singuli archipresbyteri, singuli archidiaconi, et omnis ordo ecclesiasticus suis rectoribus nititur:*”—and in the tomes of the councils, for the first time, in the seventeenth canon of the fourth council of Carthage, (*A. D. CCCXCVIII.*)—“*Ut episcopus gubernationem viduarum, et pupillorum, ac peregrinorum, non per seipsum, sed per archipresbyterum, aut per archidiaconum agat.*”

These are the earliest notices I have met with of the title of archpriest in the Christian church; unless, indeed, the Latin version of the Arabic canons of the council of Nice, (*A. D. CCCXV.*) (deemed by Baronius, Hartman, Du Pin, Bishop Beveridge, Johnson, Van Espen, and others, a spurious and supposititious augmentation of the authentic code of this œcumenic synod<sup>1</sup>) be admissible authority for a higher antiquity; in the fifty-seventh canon of which occurs the following passage—

“*Protopapa verò, id est, archipresbyter quoque honoretur in*

and English Church. “*Cum autem,*” says Beveridge (drawing from the title a most important and reasonable inference), “*hæc communis fuerit majoribus nostris ecclesiæ cujuslibet templive denominatio, veri nobis simillimum videtur, prima Christianæ religionis semina à Græcis hinc dispersa fuisse. Neque enim existimandum est, quòd Latini Græcum nomen ecclesiis imponerent.*”

(<sup>1</sup>) After noticing the objections to their authenticity, Van Espen concludes, “*his aliisque argumentis persuasum est hodiè eruditibus, à Nicænâ synodo 20 duntaxat canones, qui et vulgò sub ejus nomine leguntur, editos fuisse: rejectis ut suppositiis 80 canonibus Arabicis à Turriano editis; et ab Abrahamo Ecchelenfi Maronitâ synodi Nicænæ vindicatis; quos per errorem et ipsi Romani correctores pro veris agnoverunt in notis ad can. 12. dist. 16.*” Dr. Grier says, in his valuable epitome, the number of the Nicene Canons never exceeded twenty; although Turrian enumerates no fewer than eighty.



*absentiâ episcopi tanquàm episcopus, quia est loco ejus, et caput sacerdotum, qui sub potestate ejus sunt in ecclesiâ &c.”*

In accordance with the above authorities, Jablonski and Mosheim assign the origin of the order to the fourth century: but at all events, we have evidence of the use of the title of archipresbyter many centuries before that of decanus—“*decem presbyteris prælatus*”;—for the latter is not found, in application to spiritual church-governors, till the reign of Charlemagne, in a constitution of which supposed date it will be presently mentioned, and in a rule of Hincmar’s *capitula* addressed to his archdeacons, (A.D. DCCCLXXVIII):—and subsequently to the former, but antecedently to the latter date, in the *Decreta* of Pope Eugene II., the sixth canon of which enacts<sup>1</sup>, “*Nullus in decanum vel archidiaconum, nisi diaconus vel presbyter, ordinetur. Qui si ordinari contempserint, honore suscepto priventur.*”

The author of the treatise *de Beneficiis Ecclesiasticis*, published at Paris A.D. MDCCXXXIV, is mistaken, when he affirms (Vol. i. p. 85) that the title of decanus is seen for the first time in the council of Clermont, can. 3. (A.D. Mxcv.) In the age of Charlemagne it first appears: and we look in vain for it in church-records of earlier date.

Not that I am ignorant that the title δεκάδραχος

*Instit. Hist. Christ.* Tom. i. p. 99. *Eccles. Hist.* Vol. i. p. 357. Maclaine.

Honorii *Gemm. Animæ*, c. 182. *de Sacerdotibus.*

Hincmari *Opera*, Tom. i. p. 738.

*SS. CC.* Tom. ix. coll. 640.

(<sup>1</sup>) The *SS. CC.* *sparsim* repeat this canon; and a council of Saumur, held under the archbishop of Tours (A.D. MCCLIII), enforces it in the case of deans rural by name. “Can. v. *De archidiaconis, archipresbyteris, et decanis ruralibus ad ordines promovendis.*” See Van Espen *de etate et qualitate beneficiandorum*, in *Jur. Eccles. Univ.* P. II. Tit. XIX. cap. i. pp. 463, seqq.

*SS. CC.* Tom. XIV. col. 138.



Lib. VI. c. XIV.  
p. 461.

SS. CC. Tom. VI.  
col. 1487.

Ejusd. col. 1598.

Reginon. *de*  
*Discipl. Ecclef.*  
L. II. art. 69.

SS. CC. Tom.  
VII. col. 406.

Molan. *de* Ca-  
nonicis, L. II.  
c. VI. p. 149.  
SS. CC. Tom. IX.  
col. 23. 601.

(*decanus*) occurs in the Ecclesiastical History of Evagrius in the *sixth* century, Σιττας δέ τις τῶν ἐν Μαρτυροπόλει δεκαδάρχων, κ. τ. λ.: nor that we have "*Petrus in Christi nomine decanus &c.*", as the last of the subscriptions to the fifth council of Toledo (*A. D.* DCXXXVI). The former example has nothing to do with church-economy; and, as to the latter, I am inclined to think that the marginal reading of "*diaconus*" should be substituted; and I would extend the same emendation to the signature of "*Clemens decanus &c.*", subscribed to the seventh council of the same place (*A. D.* DCXLVI).

To the council of Rouen in France I have elsewhere referred for the title, as borne by *laical* persons, connected with the church-police of that country, not dissimilar to our modern church-reeves, guardians, or wardens (circiter *A. D.* DCL): "*Can. xv. ut decanī in civitatibus et in vicis publicis viri veraces et DEUM timentes constituentur &c.*" And I here add St. Jerome, *Epist.* XXII. (*A. D.* cccc); St. Augustin. *de Mor. Eccl.* L. I. c. xxxi. (*A. D.* ccccx); Cassian. *de Inst. Mon.* L. IV. c. VII. (*A. D.* ccccx); St. Benedict (*A. D.* DXX); and the *Capitula* of Charlemagne, *de decanīs et præpositis &c.* (*A. D.* DCCLXXXIX); for early instances of its use in monastic polity.—Of which, the most remarkable is that of St. Jerome, which I subjoin: "*Prima apud eos (Cœnobitas) confœderatio est, obedire majoribus, et quicquid jussèrint facere. Divisi sunt per decurias, ita ut novem hominibus decimus præsit; et rursus decem præpositos sub se centesimus habeat. Manent separati, sed junctis cellulis usque ad horam nonam; ut institutum est, nemo pergit ad alium, exceptis his decanīs &c.* ad Eustoch. *de custodiâ virginitatis*, *Epist.* XXII. c. xv.

## SECTION II.

## Archipresbyter—DIFFERENT KINDS OF Archpresbyters.



WITHOUT entering into the question, whether the Archipresbyter (“*summus presbyter*,” Honorii *G.A.* cap. LXXXII. *de Sacerdotibus*, “the *Head-presbyter*,” Gibson *Cod. I. E. A.* Tit. viii. cap. ii.) was necessarily the senior presbyter,—seniority in those pristine days being dependent on *πρωτοκλησία*, and not *προγενεσία*, priority of ordination, and not of birth, when found disunited<sup>1</sup>,—or at what time such a custom, seemingly long dominant in the

Salmasius *de Primatu papæ*, pp. 8, 9.  
Thomassin, *V. et N.E.D. de B.* Pars I. L. II. c. III. Tom. I. pp. 221, 222.

(<sup>1</sup>) A very early council of Rheims enacts (*A.D.* DCXXX.) Can. XIX. “*Ut in parochiis nullus laicorum archipresbyter præponatur: sed qui senior in ipsis esse debet, clericus ordinetur.*” From which it would appear that laics had been in the habit of usurping this title,—some civil power, perhaps, being attached to it: at least, the words “*Qui senior in ipsis esse debet*,” would rather indicate it. “*Vox enim illa senior jam tum dominum significabat*,” says Thomassin. Tom. i. p. 224. And such seems to be the interpretation put upon this canon by the author of a modern work “*de Christianæ ecclesiæ primæ, mediæ, et novissimæ ætatis politia*,” who writes, “*cum sæc. VI. ineunte illis (archipresbyteris) demandari cœpisset cura tum paræciarum urbis, tum ruralium, paulatim eorum potestas patere cœpit, eo ut ab ipsis optimatibus munus illud summopere optari, ac quandoque usurpari cœperit, præsertim in Galliis.*”

*SS.CC.* Tom. vi. col. 1435.

Alexii Aurelii  
*Pellicia*, L. I.  
Sect. II. p. 143.

western church, (though Boëhmer is inclined to doubt its having ever prevailed, *Jur. Eccl. Protestant.* L. I. T. XXIV. §. XLIX.) yielded to the higher claims and more just pretensions of personal merit<sup>1</sup>, which had early obtained the preference and headship in the east;—it will suffice for the purposes of our present inquiry, that archpriests, to what cause soever owing their primary advancement, were, in the sixth century<sup>2</sup>, of two kinds, —cathedral or urban, and bitan or rural,—and have so continued to the present day.

“*Urbanī dicuntur,*” in the words of Duarenus, “*qui in urbe et in majore ecclesiā officio suo funguntur. Cum enim episcopus propter absentiam fortè vel occupationes suas, non possit omnia episcopi munia vel solus, vel unà cum presbyteris obire, sed curas suas cum eis partiri necesse habeat; utilius visum est ex presbyteris unum cæteris præponere, qui ea quæ ad presbyterorum officium pertinent, partim ipse exequatur, partim aliis facienda prescribat; quàm omnibus simul presbyteris id committere, ne contentio aliqua inter ipsos ex communione administrationis oriretur . . . . .* — . .

*De Sacris Ecclesiæ Ministris, ac Beneficiis.* l. I. c. VIII.

*Observations on the first Apost. Canon.* p. 5.  
*Thef. Eccl.*  
Tom. II. col. 825.

*De Syned. Veter. Ebræor.* L. I. c. XIV. col. 1120. fol. edit.

*Annotat. ad Socrat. H. E.* L. VI. c. IX. sec. v. p. 323.

Richard. *Analytis CC. Gen. et Part.* Tom. III. p. 36.

“Presbyters were so called,” says Bishop Burnet, “not from their age, as they were men, but from the age of their Christianity.” “*Nomen est non ætatis*” (scil. *πρεσβύτερος*) in Suicer’s words, “*sed officii et dignitatis.*” It is a remark of the learned Selden, in explanation of the titles of *seniores*, *presbyteri*, &c., that the same latitude was extended to these terms when used in lay-policy; “*apud Anglos antiquitus vocabantur eldersmen seu aldermen, quasi seniores, non propter senectutem, cum quidam adolescentes essent, sed propter sapientiam.*”

(<sup>1</sup>) “*Archipresbyter,*” says Valesius, “*nomen honoris est, non vetustatis. Episcopi enim ex presbyterorum collegio eos quos vellent archipresbyteros eligebant, ut docet Liberatus in Breviario, cap. XIV.*”

(<sup>2</sup>) “*Sexto circiter sæculo, distincta fuere archipresbyterorum generum duo, ut alius archipresbyter urbanus esset, ruralis alius.*”

Archipresbyteri bīcani nullam in urbe potestatem, nullum ministerium habent, sed in majoribus celebrioribusque pagis constituntur. Ac singulis, præter ecclesiæ propriæ curationem, certarum ecclesiarum, certorumque presbyterorum, qui videlicet per minores titulos habitant, inspectio, observatioque committitur." See also Morin. *de Sacris Ordinationibus* Pars III. Exercit. XVI. cap. II. 2, 3. p. 215. Boëhmer. *Jus Ecclesiast. Protestant.* Tom. I. L. I. Tit. XXIV. pp. 582-3. and Morisani. *de Protopapâ* cap. VII. p. 104. where the twofold distinction is extended to the Greek as well as the Latin church:—"quemadmodum in occidentali ecclesiâ archipresbyterorum duo genera erant, quorum alii quidem, quos urbanos dicebant, cathedralibus ecclesiis incardinati essent; alii verò, quos rurales, rusticos, forenses, paganos, bīcanos cognominabant, pagorum presbyteris, post sublatum præsertim usum chorepiscoporum, ita mandato episcopi præessent, ut plebis capita, parochique constituerentur: haud secus in ecclesiâ Græcâ, præter cathedralium protopapas, seu primos post episcopum in ecclesiâ cathedrali presbyteros, innumeri occurrunt locorum protopapæ, et plebium curiones."

The distinction, here made, is the popular one, generally received; but Bishop Kennett's is somewhat different;—though he refers to Duarenus as his authority. Severing altogether the cathedral archipresbyteri from the deans rural of his interesting epifode, the parochial antiquary says of the latter, "These deans were constituted over a certain number of churches within a large city, and were then called decani urbani and bīcani; or else over the like extent of country churches, and were then strictly called decani rurales." Gibson, too, applies urbani in the same limited sense, to the exclusion

*Diatriba de Protopapâ*, cap. VII. I. p. 104.

πρωτοπαπᾶς  
Curio. Ducang.  
in *Gloss. med. Græc.*

*Parochial Antiquities*, Vol. II. p. 339.

*Cod. I. E. A.*  
Tit. XLII. c. VIII.



of cathedral deans, but *bican* he uses as a synonyme of *rurales*<sup>1</sup>.

Upon this view, the reader will perceive that urban and *bican* deans were merely rural deans<sup>2</sup>, set over

Van Espen *Jur. Ecclef. Univ.*  
P. I. Tit. XII.  
cap. II. p. 58.

(<sup>1</sup>) A farther distinction between cathedral or *urbicar* deans, and deans-rural or *decani Christianitatis*, is derived from the superior rank of the former—"Archipresbyteri rurales nullam dignitatem, sed merum officium habere censentur; ac in omnibus suis functionibus ab instructionibus episcoporum dependent; archipresbyteratus vero cathedralis vera est dignitas; muniaque de jure vel consuetudine annexa, jure dignitatis, id est, jure ordinario sicuti archidiaconi habent; ideòque nec pro arbitrio episcoporum tolli aut diminui possint."

In *Les Loix Ecclésiastiques de France* we find the following particularities of duty specified as belonging to the archiprêtres of the Gallican church.

*Les Loix Eccléf. de France &c.*  
par M. Louis De  
Hericourt.  
*Analyse*, p. 73.

"Titre xxiv. De l'office de l'archiprêtre. Dans le septième et dans le neuvième siècles, les fonctions de l'archiprêtre de l'église cathédrale étoient de veiller sur tous les curés de la ville, qu'on appelloit alors cardinaux; de leur faire observer les ordonnances de l'évêque; d'offrir le saint sacrifice en l'absence de l'évêque aux jours solennels; d'entendre la confession de tous les prêtres, et de leur imposer des pénitences. (Il y a encore des archiprêtres dans quelques églises cathédrales, qui font l'office, à certains jours, en l'absence de l'évêque; mais qui n'ont aucune juridiction sur les curés de la ville épiscopale: on voit encors dans d'autres diocèses des curés qui ont le titre d'archiprêtres de la ville, auxquels cette qualité ne donne que quelques marques de distinction, sans aucune juridiction sur leurs confrères. L'archiprêtre de la ville étoit soumis à l'archidiacre.)

"Les archiprêtres de la campagne, qu'on appelle communément *dogens ruraux*, doivent veiller non-seulement sur les peuples, mais encore sur la conduite des curés qui sont dans l'étendue du *dogenne*; faire observer exactement la discipline ecclésiastique, et rendre un compte fidèle à l'évêque de tout ce qui se passe."

*Antiq. of Canterbury*, P. I.  
p. 175.

(<sup>2</sup>) So Somner understands and applies the title:—" . . . . It remains that I speak somewhat of the dean, an ecclesiastical officer set to over-see a certain number of parishes, amongst which are those of our city, and a necessary member in the ecclesiastical or spiritual government of the same. We call him a rural dean."



parochial churches and their incumbents, *in urbe* or *in vico*, distinct from cathedral deans, whose presidency was only over persons. But I prefer the popular notion of Bishop Atterbury (no very high authority in these matters), because it is supported by the *Summa Silvestrina* fol. xxxix. (which makes the “archipresbyter civitatis” the same as “*A. ecclesiæ cathedralis, qui alio nomine dicitur decanus,*”) and by such learned canonists as Cardinal Hostiensis, Panormitan<sup>1</sup>, Lyndwood, Augustin Barbofa, Ferro Manrique, Galganetti, Van Espen, Molanus, and others, as well as the above-cited author *de Sacris Ecclesiæ Ministeriis ac Beneficiis*.

*Archidiaconal Charge to the Clergy of Totness, 1708.*

To quote only a few:—“*Est autem duplex archipresbyter,*” writes Augustin Barbofa, “*unus urbanus, et alius ruralis seu foraneus: urbanus est qui in urbe degens dignitati præest cathedrali, vel collegiatâ ecclesiâ; ruralis verò, vel foraneus, qui ruri ecclesiæ præest parochiali, seu plebanicæ . . . . et hic propriè videtur dici decanus . . . . non quòd necessariò decem præesse debeat, sed quia factâ translatione à perfectione denarii numeri decanus solet appellari omnis ille, qui alicujus ordinis primus, et præcipuus est.*”

Augustini Barbofæ de Canonici et Dignitatibus cap. vi. p. 61. de Archipresbytero.

“*Archipresbyteri sunt in duplici differentiâ,*” says Ferro Manrique, “*alii namque dicuntur civitatenses . . . . alii autem rurales, seu plebanî . . . . . archipresbyter ruralis seu plebanus solitudinem plebanicæ suæ, tam in rusticos, quàm sacerdotes in divinis et vitæ circumspeditione gerant.*”

D. M. F. Manrique de Præcedentiis et Prælationibus Ecclesiasticis, Quæst. vi. p. 36. 1.

(<sup>1</sup>) See Panormitan. Tom. II. p. 73; Hostiensis Tom. I. fol. cxix.; Galganettus de Jure publico, L. III. Tit. xxii.; de Archipresbyteris et Decanis, pp. 230, 231; Van Espen I. E. U. Part I. Tit. vi. de Decanis Christianitatis, p. 29.; et Tit. xii. cap. II. p. 58.; Joannes de Deo Pœnitential. cap. xi.

Molan. *de Canonici*, L. II. c. VIII. p. 157.

Ley's *Defensive Doubts* &c. p. 44.

*Decret.* Pars I. Distinct. XXV. de *Ecclef. Offic.*

Molanus, having noticed the archipresbyteri civitatenses, subjoins "*reliqui verò pastores pastorum usitatè dici solent decani rurales, vel decani Christianitatis: sed hodiè archipresbyteri suarum regionum dici malunt.*"

"To speake in the phraze of the present age," says the scrupulous pastor of Great Budworth, "the urban we may call cathedrall deans; the vicar, deanes rurall." See also Downname's *Defence of his Consecration Sermon*, L. I. chap. 8. p. 188--9. and, for the fourfold division of deans according to the Ecclesiastical Law of England, see Burn's *E. L.* Vol. II. p. 75. Deans and Chapters.

From these brief, but sufficient definitions and explanations of archipresbyteral duties, the reader will understand, IN LIMINE, their distinction, nature, and character: though our present business is only with the titles of the office, not with its duties. Of the first here defined, the urban or cathedral archpriest—his origin and office—it is foreign to my purpose to say any thing, otherwise than as sharing, with his more humble namefake, the title of archipresbyter and decanus, or assimilating, in some of his functions, with his vicar representative. His particular duties in the primitive church, localized in an episcopal city, we learn from a letter of Isidore<sup>1</sup>, bishop of Seville, to Ludifred, bishop of Corduba, (A.D. dxcv.)—incorporated in the canons of the council of Toledo, (A.D. dcxxxiii.)—from a decretal of Pope Leo IV. (A.D. dcccL.), and

(<sup>1</sup>) Gratian refers to Isidore and the council of Toledo as his authorities; but I find no such passage in the letter of the bishop of Seville, nor in any council of Toledo. There is no notice whatever of the archipresbyter in the letter to the bishop of Corduba, published in the SS. CC. Tom. vii. col. 434, seqq. See Baluzii *Notæ ad Gratianum*, D. 25. c. 1., *ad calcem Antonii Augustini Dialog.* &c. Lib. II. p. 455.

other later sources<sup>1</sup>:—and those of the *bīcan* or rural archpriest, exercised “*per minores titulos*”<sup>2</sup>, over the clergy distributed amongst the country churches, we learn from a canon of the council of Pavia, (*A.D.* DCCCL.)—recited *αὐτολεξεῖ*, and confirmed by a council of Rome, otherwise called of Ravenna, (*A.D.* DCCCCIV.)—of which more anon.

Nearly three centuries before the council of Pavia, *bīcan* archpresbyters are recorded in the nineteenth canon of the council of Tours, (*A.D.* DLXVII.)—the earliest notice<sup>3</sup>, perhaps, of these functionaries extant: for they are certainly not so ancient as cathedral deans; inasmuch as fixed parish priests were of much later insti-

*Decretal. Gregor. IX. L. I. T. XXIV. de Offic. Archipresb.*

*Cann. Conc. Anonymi SS. CC. Tom. XI. col. 706.*

*SS. CC. Tom. VI. col. 539.*

(<sup>1</sup>) See *De officio decani CC. M. B. et H.* Tom. i. pp. 497—499. and more fully pp. 535 and 741—for the duties of the cathedral dean in England. The latter references state the usages of the churches of Lincoln and Sarum, the former those of Lichfield.—For continental usages, see Boëhmer. *Jus Eccles. Protest.* Lib. i. Tit. XXIV. § 1. and Corvin. *de person. et benefic. eccles.* Lib. i. Tit. XX. n. 6. The *Registrum Sancti Osmundi*, a valuable MS. lately transcribed, under the auspices, and at the cost, of Bishop Burgess of Sarum, is full on the subject of the cathedral dean's duties. See fol. 1, 2, 3, 4.

(<sup>2</sup>) The *tituli* were the smaller churches; so called from this circumstance, that the presbyters, who officiated in them, were called by the names of the places where they were erected, *i.e.* received titles, which fixed them to those particular cures. See also Bingham *O. E. B.* VIII. cap. i. s. 10.

*Mosheim's E. H. Cent. IV. P. II. p. 394. Vol. I. note 9.*

(<sup>3</sup>) Whether the following canon of the second council of Bracara, the metropolis of Galicia, (*A.D.* DLXIII.) refer to urban or *bīcan* archpriests, or both, I leave to the reader to determine;—probably to the former only:—“*VI. Item placuit, ut de rebus ecclesiasticis tres æquæ fiant portiones; id est, episcopi una, alia clericorum, tertia in reparatione vel in luminariis ecclesiæ: de quâ parte sive archipresbyter, sive archidiaconus, illam administrans, episcopo faciat rationem.*”

*SS. CC. Tom. VI. col. 521.*

*Mirac.* L. I. c. 78.  
*L. II.* c. 22.  
*De Glor. Confess.*  
 c. 5.  
*Vit. Pat.* c. 9.

tution than the college of presbyters, and consequently the rulers of the former, than those of the latter. However, that archpresbyters were distributed in rural districts in the sixth century, is clear from the writings of Gregory, bishop of Tours, who died before its close<sup>1</sup>. We there find the following notices of them. “*Archipresbyter parochiæ Nemausensis, &c.*” “*Archipresbyter qui tunc locum illum regebat, &c.*” “*Cùm archipresbyter loci Eulalius clericos convivis invitâssæt, Edatius verò alius presbyter viduis ac pauperibus reliquis edulium præpararet, &c.*” “*Archipresbyter Mercensis vici, &c.*” All which passages seem to indicate that archpriests were localized in country parishes, and invested with a general superintendence of others adjoining, in addition to their own personal cures, or, at least, with parochial rule and governance of other presbyters, in the sixth century.

(<sup>1</sup>) Gregory, bishop of Tours, or, as he is often called, Georgius Florentius Gregorius, was born at Auvergne, about the year DXLIV., and died at Rome in the year DXCV.

## SECTION III.

Decanus—THE IDENTITY OF Deans Rural AND Archpresbyters Rural.



THE title of Decanus or Dean (for the primary signification of which, *see* Suicer's *Thesaurus Ecclesiasticus*, in voce Δεκανός, Tom. I. col. 834.), whether applied to secular or ecclesiastical office, has its origin in a presidency over *ten*, either persons or places. “ΔΕΚΑΝΟΣ à δεκάς,” according to Sir Henry Spelman, “*in militiâ dictus est, qui decem præfuit militibus; in monasteriis, decem monachis; in ecclesiâ majori, decem præbendis; in episcopatûs divisione, decem clericis seu parochiis; in centuriæ five hundredi distinctione, decaniæ suæ sodalibus.*”

The dean rural, with whom alone, of the many<sup>1</sup> here defined, we have any concern, was so called because he usually had charge over *ten* country parishes and their clergy<sup>2</sup>:—“*dicuntur decani,*” says Lyndwood, “*eo quod*

Gibson Codex  
I.E. A. Tit. XLII.  
cap. VIII. p. 971.

Glossar. Archæolog. p. 164.

Provincial. L. I.  
Tit. 2. p. 15. gl.  
in v. Decanôs  
rurales.

(<sup>1</sup>) The reader will be amused, and perhaps edified, with Ley's description of the different sorts of deans (if he chance to possess the book) in “*Defensive Doubts, Hopes and Reasons, for Refusall of the Oath, imposed by the sixth canon of the late synod.*” London, 1641. pp. 44, seqq. “*First of deanes,*” says the pastor of Great Budworth in Cheshire—“*The doubt is, What deanes are here meant—The reason, Because in the whole canon law there is no title of the degree of a deane (says Azorius) &c. &c.*”

(<sup>2</sup>) But the same latitude obtained in *rural* as in *urban* appointments, in respect of numbers: for “*nothing more common,*” in Fuller's words, “*than*

History of Waltham Abbey, p. 6.



*decem clericis (rectoribus ecclesiarum, Spelman. Glossar. Archæol. in voce) sive parochiis præsent, secundum Papiam."*

Regin. L. I.  
p. 291.  
Burchard. L. XIX.  
c. XXVI. p. 205.  
Gratian. I. Dis.  
L. c. LXIV. p. 71.

Thomassin. V. et  
N. E. D. de B.  
Part II. L. I.  
c. v. Tom. I.  
p. 225.

The identity of the office of the latter and of the country archpriests is clearly proved from the ancient *constitution*—heretofore erroneously attributed to the council of Agatha (A.D. DVI.), and by Rheginon, Burchard, and Gratian, admitted into their several compilations, as one of its canons—wherein these functionaries are enjoined under both titles, identified with each other, to attend at the church-door on penitential service at the commencement of Lent. The words of this *constitution* (which, as not being found in any of the *canons* of that council now extant, I have, on competent authority, already ventured to appropriate to the time of Charles the Great—with the church-discipline and titles of which period it harmonizes well, while it is at variance with those of the earlier date alluded to,) are these:—*"Ubi adesse debent decani<sup>1</sup>, id est, archipresbyteri parochiarum, cum testibus, id est, presbyteris pœnitentium, qui*

"than to wean terms from their infant and original sense, and by custom to extend them to a larger signification; as *dean* afterwards plainly denoted a superior over others, whether fewer than ten, as the *six* prebendaries of Rochester; or more, as the *three-and-thirty* of Salisbury." See also Dr. Nicholls's comment in Mant's *Prayer Book*, Introduction, p. xviii. in v. "*every dean*;" and Augustin Barboza de *Canon. et Dignitat.* c. vi. p. 64. before quoted.

(<sup>1</sup>) "As the archipresbyteri in latter times were called *decani*," says Dr. Downame, "urban or cathedral deans, so the presbyters of the citie (πρεσβύτεροι τῆς πόλεως—*conc. Neocæsar.* c. 13. *civilatenses presbyteri—conc. Agath.* c. 22.) were in proceſſe of time called *canonici* and *prebendarii*, and the company of them, which have beene called *presbyterium*, was termed *capitulum*, in English *chapter*."

Downame's *De-  
fence of his Con-  
secration Ser-  
mon*, L. I. chap.  
VIII. p. 189.

*corum conversationem diligentè inspicere debent &c."*

Their sameness is farther established by a passage in the *capitulary* of Toulouse (*A.D.* DCCCXLIII.), under Charles the Bald, which speaks of the archpriests as actually constituted in their deanries—cap. III. "*Statuant episcopi loca convenientia per decanías, sicut constituti sunt archipresbyteri &c.*"—by a canon of the synod of Treves (*A.D.* DCCCCXLVIII.), cited, with the latter to the same effect, by Father Rouvière, in his *History of St. John's Monastery at Rheims*—"Archipresbyteri, qui et decani rurales appellantur &c."—by the council of Clermont (*A.D.* MCV.), "*ut nullus sit archipresbyter, quod alicubi dicitur decanus &c.*"—by the councils of Tours (*A.D.* MCLXIII.), and of Rome (*A.D.* MCLXXIX.), "*Decani quidam vel archipresbyteri ad agendas vices episcoporum &c.*"—by a refeript of Pope Innocent III. (*A.D.* MCCXIV.)—"Archipresbyteri, qui à pluribus decani nuncupantur &c."—by a second council of Treves (*A.D.* MCCCX.)—"Decani rurales seu forenses archipresbyteri &c."—and lastly, by a constitution of Pope Benedict. XII. (*A.D.* MCCCXXV.), "*Decanis ruralibus dumtaxat exceptis, qui in aliquibus regionibus archipresbyteri nominantur.*"

Upon these many averments, we may, assuredly, conclude the identity of the archipresbyteral and decanal charges:—upon which point, indeed, I should have been less full and particular<sup>1</sup>, had not Mr. Johnson, the learned and laborious translator of our *Ecclesiastic*

Karoli Calvi et  
fucecessorum ca-  
pitula, v. c. III.

P. Roverii Ro-  
maus &c. p. 629.

SS. CC. Tom.  
XII. col. 830.  
can. III.

SS. CC. Tom.  
XIII. col. 304.  
can. VII. col.  
470. capit. I.

Decretal. Gre-  
gor. IX. L. I.  
T. XXIII. c. VII.

Thef. Anecd.  
T. IV. col. 245.

Spelman. Concil.  
Vol. II. p. 504.  
SS. CC. Tom.  
XV. col. 424.

(<sup>1</sup>) As nearly all the evidence to be hereafter adduced respecting the duties of these ecclesiastics is cited upon a full conviction that their office was the same under either title, it seemed important to establish the fact of identity upon incontrovertible grounds.

*Eccles. Laws &c.  
Addenda,  
A.D. MLXIV.*

*CC. M. B. et H.  
Vol. I. p. 547.  
Vol. II. p. 393.  
and p. 465.  
Whitaker's Hist.  
of Manchester,  
Vol. II. p. 380.*

*Glossar. ad  
Scriptor. x.  
Ducang. in voce.  
Politia Eccles.  
Angl. c. I. p. 3.  
& c. IX. p. 88.*

*Descript. I. E.  
P. I. sec. III.  
Cofin. Tab. XII.*

*Laws*, controverted it in his notes upon the Saxon institutes.—“Very egregious mistakes,” says the vicar of Cranbrook, “have been committed by a famous antiquarian in relation to these officers called rural deans. He supposes them to have been the same with the arch-presbyters of the seventh and eighth century; which may be confuted by looking into the *Decretal*, L. I. Tit. XXIV. xxv.” But the reader will acknowledge that Bishop White Kennett, to whose able work on *Parochial Antiquities* Mr. Johnson alludes, might adduce strong evidence for his assertion, in the cases of continental church-police already referred to; and, were the issue yet dubious, in consequence of foreign examples being inadmissible, might accumulate on them our insular *con-sistutions*—the archpriests of Ireland being therein said to be the presidents of the rural deanries in MCCXVI; and archpriests or deans being expressly mentioned in a *Bull* of Pope John XXII. to the clergy of England in MCCCXVII; and in the *Process* of Grenefeld, archbishop of York, during the years MCCCX and MCCCXI; and yet farther might he support his view by the united fancies of Somner, Ducange, Dr. Mocket, and Dr. Zouch:—“*Quem recentiores decanum ruralem*,” says the antiquarian of Canterbury, “*et exteri archipresbyterum vicarium, antiquiores Angli decanum Christianitatis vocarunt*.” “—*decantibus preficiuntur rurales decani*,”—Dr. Mocket remarks, “*antiquis archipresbyteris non multum dissimiles* :”—and again less qualifiedly, “*decani rurales veteris ecclesie chor-episcopis et archipresbyteris regionariis haud dissimiles* :”—and Dr. Zouch, “*Sub archidiaconis constituuntur decani rurales, qui olim archipresbyteri rurales dicebantur*.”—Need I add the asseveration of Mr. Whitaker, the Historian of

Manchester, that "the rural dean is *the same* ecclesiastical officer as the archpresbyter or archpriest?" or the much earlier opinions of Spelman, Rouvière, Morin, Thomassin, and others, to the same point?—Nay, Mr. Johnson himself, in his *Ancient and Present Church of England*, acknowledges that "archpresbyters and rural deans are *much the same*."

The date of this change of name may be fixed, on the authority of the first-cited constitution, about the close of the eighth or the commencement of the ninth century; and the inducement to it, the division of dioceses at that time into decennaries or deanries; over which archpriests, previously existent as subordinate, vicarious church-governors, were *then* placed with the new title of deans, in accordance with the prevalent civil polity of the time, and invested with vastly augmented jurisdiction, in consequence of the decay and abolition of chorepiscopi. "Archipresbyteri dicti videntur decani," says Morin, "*eo quod antiquitus dioceses erant per decanias divise<sup>1</sup>, quibus præerant archipresbyteri.*" (Ex Capit. Caroli Calvi c. 3.

Part I. c. VIII.  
p. 61.

Van Espen *Jur. Eccl. Univ.* P. I.  
Tit. VI. cap. I.  
p. 29.

See Spelman.  
*Gloss. Archæol.*  
in v. decanatus,  
p. 166.

*De Sacris Ordin.* P. III.  
Exercit. XVI.  
c. II.

(<sup>1</sup>) "Dioceses have been subdivided into superior precincts," says Nathaniel Bacon, "called deanaries or decanaries, the chief of which was wont to be a *presbyter of the highest note*, called decanus, or archpresbyter. The name whercof was taken from that precinct of the lay-power, called decennaries, having ten presbyters under his visit, even as the decenners under their chief."

"*Aucta diœcesi episcoporum,*" says Boëhmer, "*hanc in plures decanatus distribuerunt et singulis decanatibus decanum seu archipresbyterum præfecerunt, quem archipresbyterum ruralem dicere, qui presbyterorum ruralium curam habebat.*" See Van Espen *I. E. U.* Part I. Tit. VI. cap. I. p. 29: wherefore, by Pierre Rouvière the decanate of Oscar is called decania archipresbyteralis—an archpriest being the ecclesiastical governor of the deanry.

*Historical and Political Discourse* &c. chap. XII. p. 23.

*Jus Ecclesiast. Protestant.* L. I.  
Tit. XXV. sec. XLIX.

*Reomaus* p. 629.



Cave's *Primitive Christianity*,  
P. I. c. 8. p. 222.

Ducangii  
*Glossar.* in voce.

Thomassin. *V et*  
*N E. D* Tom. I.  
Part II. L. I. c. v.

VanEspen *I. E. U.*  
P. I. Tit. VI.  
c. I. p. 29.

*Stat. Synod.*  
*Dioc. Ypres.*  
Tit. VII. c. I.

*Concil. Gallie* Tom. III.) And very reasonable, indeed, it was, that the bishop (who was, “according to the notation of his name, σκοπὸς, a watchman and sentinell, and therefore obliged ἐπισκοπεῖν, diligently and carefully to inspect and observe, to superintend and provide for, those that were under his charge,”) should take advantage of new civil divisions of his παροικία, for the purpose of meting out to certain deputies, already constituted in the church, well-defined districts of supervision. For being unable to inspect personally all his widely-scattered congregations, after the multiplying of country churches; and archipresbyterates (“*districtus archipresbyterii ruralis*”) being, like the elder chorepiscopates, ecclesiastical territories of indistinct limitation, (indeed we know nothing about them beyond this—that their extent was settled, and the capital of each appointed by the absolute authority of the bishop<sup>1</sup>; a particular church in every district being exalted into a pre-eminence over the rest, and the rector of the one made the superintendent of the others,) he would gladly, for the better ordering<sup>2</sup> of his diocese, merge the uncertainty of the spiritual in the certainty of the secular

(<sup>1</sup>) “*Similiter in potestate episcopi est districtum decanorum vel extendere vel limitare; imò et unam decaniam sive districtum archipresbyteratus in plures dividere, aut plures in unam conflare.*”

(<sup>2</sup>) “*Utiliter in omnibus episcopatibus,*” says the bishop of Ypres in Flanders, “*recepta est cujusque diocesis in decanatus partitio &c.*” On the score of convenience alone, as far as I can see, is the division of dioceses into deanries preserved in our ecclesiastical books, in modern days, where the dean exists not. For regulating the attendance of the clergy on the different synodal visitations of the bishop and his archdeacons, the district is still useful; but would be far more so, if it had its local ordinary.



distribution, the archipresbyterate<sup>1</sup> in the decanate, and the title of archpriest in that of dean-rural; and, therefore, Thomassin uses the terms archipresbyteratus and decanatus as equally signifying these ecclesiastical divisions of the diocese.

On this subject of the analogy of fecular and ecclesiastic office, here briefly alluded to, in the ninth century, Walafrid Strabo has written at large, in his *Comparatio Ecclesiasticorum Ordinum et Secularium*; and, more to the point of our inquiry, Bishop Kennett, in his *Parochial Antiquities*; as the next division of our subject, on the origin of the decanal office of the country, will shew.

(<sup>1</sup>) "*Vetus fuit harum decaniarum institutio*," observes Pierre Rouvière, "*reique ecclesiasticæ in agris opportunissima. Cum enim ad presbyteros rure degentes extendere se continuo non possent episcoporum aut archidiaconorum vigilantia, collocati fuere per intervalla, in quibusdam quasi excubis presbyterorum aliqui decani, vel archipresbyteri vocitati, ut cæterorum presbyterorum ac plebis moribus, vice episcopi aut archidiaconi invigilarent.*"

"The craft of the prelates," says Nathaniel Bacon of our Saxon bishops, "was to distribute their spiritual offices through the kingdom, so as to influence and direct every part of the temporal government, and to actuate the whole for the church's good. Thus every temporal officer had a spiritual concomitant."

*De Exordiis et Incrementis Rerum Ecclesiast.*  
cap. 31. apud  
Hittorp. Tom. I.  
pp. 694-5.

*Reomaus &c.*  
p. 629.  
de decania archipresbyterali,  
*Oscarensis decanus.*

*Historical and Political Discourse &c.*  
Part I. c. XII.  
p. 23.

# Horae Decanicae Rurales.

## PART II.

### The Origin of the Office.

#### SECTION I.

##### THE ORIGIN OF Deans Rural IN GENERAL.—Chorepiscopi.

*A Humble Proposal for Parochial Reformation &c. chap. vii. p. 30.*



**W**HEN, where, and by whom, rural archpriests or deans were at first instituted, we in vain endeavour to learn, in the silence of ecclesiastical history relative to their primary establishment. Our knowledge of them is derived, not from the records of their institution, but from their names and acts mentioned in the tomes of the councils, and other church-authorities of high antiquity. These exhibit them in settled power and influence, exercising their ministerial functions in aid of the diocesan bishop, wherever the calls of parochial visitation required additional superintendents, delegate representatives of the supreme ἐπίσκοπος, for satisfying spiritual wants, and supporting local discipline in new Christian communities.

Van Espen  
*I. E. U. P. I. Tit.*  
vi. cap. i. p. 29.

The date of their first appearance in the western church, as far as it *can* be ascertained, has been incidentally stated under the former division of our subject. The circumstances, likewise, under which both urban

and rural deans are supposed by Duaren to have arisen in the church, have been briefly delivered in the definitions of their respective duties, cited from that eminent canonist's treatise *De Beneficiis* &c. Of the origin of the cathedral dean I purpose to say no more. Of the dean-rural's institution in particular, Morin thus reasonably expresses himself, having just before suggested the probable origin of the urban functionary—" *Pullulante ecclesiâ, et radices, palmitesque per agros et vicos diffundente, archipresbyteris opus fuit, qui non modò presbyterorum urbicorum, sed etiam rusticorum curam gererent. Satis tum non fuit aliquem presbyterum honore et concessu aliis præferri. Necessè fuit unum cæteris præfici, et solitudinem episcopalem cum auctoritate sublevare. Multiplicatis enim per varias diœcesis parœcias presbyteris, difficile fuit episcopis solis tot presbyterorum et parœciarum solitudinem habere. Itaque unum cæteris præposuerunt, qui iis invigilaret, leviora quæque corrigeret, et de difficilioribus ad episcopum referret.*"

To this learned writer we readily grant the reasonableness of his view of the origin of the archipresbyteral economy in the abstract, and its excellent adaptation to the purposes mentioned—the spiritual surveillance, under the bishop, and in his name, over rural presbyters and their flocks. Still the office appears not, till some centuries after Christianity had extended itself from urban to rural districts, and the bishop's increased labours had long needed helpmates in the latter quarters. How, then, was the ecclesiastical discipline of the country in the mean while supported, and the affairs of the more distant parts of the diocese looked after, before the institution of deans rural, and while as yet the arch-

Morin. *de Sacris Ordinatis*. P. III. Exercit. XVI. c. II. p. 215. III.

See Morin. *de Sacris Ordinatis*. P. III. Exerc. IV. c. I. p. 42. IX.

deacons had no relation to the diocese, but only to the episcopal see? (Gibson *C. I. E. A.* Tit. XLII.) Were there any episcopal substitutes of earlier days, from whose delegate capacity our rural archpresbyters may be supposed to have derived, in any degree, the type and character of their vicarage?

Dark as is the history of the decanal office as to time and place of origin, and fruitless any attempt to elucidate it, out of the scanty church-documents bearing on its elder days, we know thus much:—archpriests or deans were not the first officers to whose vicarious protection under the city-bishop, the church, in her wisdom, committed the infant regiment of her rural ministers and converts. Before the date of such creation, there were “chosen out of the fittest and gravest persons,” certain episcopal deputies—*bicarii episcoporum*<sup>1</sup>—denominated *chorepiscopi*—τῶν χωρῶν or τῆς χώρας ἐπίσκοποι—“whose business it was,” in the language of Dr. Cave, “as *subordinate* sort of bishops—country or (as amongst us they have been called) *suffragan bishops*, to superintend and inspect the churches in the country, that lay more remote from the city where the episcopal see was, and which the bishop could not always inspect and oversee in his own person.”

Of these *villan bishops* and *vican* or rural priests—χωρεπισκοποι, *that is*, and πρεσβύτεροι ἐπιχώριοι or πρεσβύτεροι ἐν ταῖς κώμαις καὶ χώραις—the ancient Greek councils make mention at the *same* time, as if of contempora-

(<sup>1</sup>) “*Primitus institutos ab episcopis chorepiscopos ferè constans est sententia, ut essent eorum bicarii in vicis ac pagis, et episcopalia in iis munera minoris momenti obirent.*”

Suicer. *T. E.*  
χωρεπίσκοπος.

*Primitive Christianity*, P. I.  
p. 223.

*B. I. C. V.* Tom. I.  
p. 40. *Neocæsar.* can. LVIII.  
p. 45 *Antioch.*  
can. LXXXVII.  
—LXXXIX.  
*Routh's Reliq.*  
*Sacr.* V. III.  
p. 461. *Conc.*  
*Neocæsar.*  
can. XIII.  
*Ducang. Gloss.*  
*in voce* Cherepiscopus.

neous establishment, or, at least, co-existent in country districts;—the presbyters<sup>1</sup> generally distributed, one or

(<sup>1</sup>) Dr. Maurice is of opinion that the first *fixed* presbyters were at Alexandria: and, certainly, Sozomen observes it as a singularity of that diocese, that auxiliary, or parochial churches, were in his day appropriated or committed to so many certain fixed presbyters. (*Hist. Eccl.* L. i. c. xv.)—Indeed, as early as the middle of the third century, Dionysius, bishop of Alexandria, seems to have congregated at Arsenoëta in Egypt τοὺς πρεσβυτέρους καὶ διδασκάλους τῶν ἐν ταῖς κώμαις ἀδελφῶν. lib. ii. *De Promiss.* apud Euseb. *H. E.* vii. 24. Later in the same century there is distinct notice of a localized parochial priest in a village of Mesopotamia (*Acta Disputationis Archelai Episcopi et Manetis Hæresiararchæ—circiter A.D. cclxxviii*) “. . . . . *Manes autem fugiens advenit ad quendam vicum longè ab urbe positum, qui appellabatur Diodori. Erat autem presbyter loci illius, nomine et ipse Diodorus, quietus et mitis, &c.*”—cap. xxxix. See Bishop Wake's *Visitation Charge*, *A.D. mdcclix.* pp. 3, 4. and a passage cited from Euseb. *Hist. Eccles.* L. ii. c. iii. in note (d), p. 4.—Epiphanius, in his discourse of the Arian and Meletian heresies, (it is the remark of Dr. Maurice,) speaks of fixed presbyters as particular and singular in the church of Alexandria; while, in other churches, which had *titles* as early, the presbyters were moveable at pleasure. Ἐκαστος τῶν πρεσβυτέρων ἔχει τὰς ἰδίας κώμας, is the express assertion of St. Athanasius, *Apol.* ii. *A.D. ccllviii.*

At Rome, particular *titles* are not annexed to the names of presbyters till towards the end of the fifth century; when, as we now sign ourselves rectors and vicars of such a place, the Roman priests (then, probably, *fixed* in their respective cures) subscribed themselves, “*Cælius Januarii Presbyter Tituli Vestinæ, Martiannus Presbyter Tituli Sanctæ Cecilie, &c.*” whereas before, they merely signed generally, “Priest of Rome, &c.”

It is a curious fact, let me add, and worthy of notice, as bearing upon the antiquity of our visitational duties, that *visiting presbyters* first appear about *A.D. ccc.*, in an epistle of Peter archbishop of Alexandria; and again in an epistle of the Egyptian bishops about the same time:—*presbyteral superintendents* seeming to synchronize, in the date of their institution, with that of the parochial clergy in Egypt; over whom they presided subordinately to the urban bishops, and instead of the *chorepiscopi*, who are not there found at all.

*Vindication of  
Diocesan Epi-  
scopacy*, p. 65.  
*Routh's Reliq.  
Sacrae*, Vol. iii.  
p. 477.

Vol. iv. p. 230.

*Slater's Original  
Draught &c.* in  
answer to Lord  
King, c. viii.  
p. 297.  
*S. Cyril. Lect.*  
vi. 30. ed. Oxon.

*Diocesan Episco-  
pacy*, ubi supra.  
*Bingham's Eccl.  
Antiq.* B. ix.  
c. viii. s. 4 & 5.  
B. v. c. vi. s. 5.

*Brett's Account  
of Church Gov-  
ernment and  
Governours*,  
cap. vii. p. 170.

*Routh's Reliq.  
Sacrae*. Vol. ii.  
pp. 348, 382.

When



Boëhmer. *Dif-  
fert. F. de Christi.  
Catibus in vicis  
et agris*, p. 305.

more to each place (after they had ceased<sup>1</sup> to live in community with the bishop, and to itinerate at his command) through the towns and villages of the east, as Christianity extended from city to country—the *chor-episcopi* occupying such more important sites<sup>2</sup>—*metrocomice* perhaps (*matres vicorum capita inter omnes vicos*)—as were secondary only to the episcopal cities.

*Ecclef. Politic.*  
B. v. 80. p. 433.

When the example was once set of assigning “precincts to every church or title, and appointing to each presbyter a certaine compasse whereof himselfe shoulde take charge alone, the commodiousnesse of this invention caused all parts of Christendome to follow it, and, at length, amongst the rest, our owne churches, about the year dcxxxvi,” says Hooker, (but this is an error—Ed.) “became divided in like manner. But other distinction of churches, there doth not appeare any in the Apostle’s writings, save onely, according to those cities wherein they planted the gospel of Christ, and erected ecclesiasticall colledges.” See Duarenus *de Sacris Ecclesiæ Ministr. ac Benef.* L. i. c. vii. pp. 20, 21.; also Wharton’s *Defence of Pluralities*, pp. 53, 54. Parker’s *Account of Church Government for six hundred years*, pp. 136, 137. Burnet *on the First Apostolical Canon*, pp. 33, 34. and Bingham *O.E.* B. v. c. vi.

*Vade Mecum*,  
Vol. ii. pp. 11.  
18, 19.

Bevereg. *Synod.*  
Vol. i. pp.  
10. 19. 21.

(<sup>1</sup>) It is fairly deduced by Mr. Johnson from the fifteenth, thirty-first, and twenty-second *Apostolical Canons*, that there were, in those early times—the nonage of the Christian institution in respect of its outward polity—no such thing as priests acting independently of their bishop at that date, viz. the latter end of the second century. The diocesan and his clergy lived together in a body, in constant communion with each other, in the city or other capital place of the diocese, then called *παροικία*—(“A lively resemblance whereof remaineth in the *Dean*s and chapters of cathedrall churches”—says Dr. Downam). Equally certain is it, at a later period, from the thirteenth canon of the *Neocæsarean council*, held about the same time as the *Ancyran* (A.D. cccxiv.), that there were *then* country priests and churches in places remote from the city—one step towards the division of dioceses into what we now call parishes. See Bingham’s *Ecclef. Antiq.* B. v. c. vi. 4, 5, on this subject.

*Vade Mecum*,  
Vol. ii. pp. 79, 80.

Spelmanni *Gloss.*  
*Archæol.* in voce,  
p. 410.

(<sup>2</sup>) “*In metrocomiis, non episcopi, sed ΧΩΡΕΠΙΣΚΟΠΟΙ et ΠΕΡΙ-ΟΔΕΥΤΑΙ* (id est *circitores*) instituti olim, ut can. 57. Concil. Laodic. can

Such, it is rational to suppose, was the distribution of the rural priesthood<sup>1</sup>, with its appropriate hierarchy, in the east; where the old Greek synods recognise three distinctions of *παροικίαι*—those *ἐν αἷς ἐπίσκοποι ἐχειροτονούντο*—a second class denominated *ἐγχώριοι*, and a third *ἀγροικικαί*.—To adapt which, with any degree of confidence, to the different grades of the priesthood, is beyond my power. The first were the urban bishops' districts; the latter two were rural *παροικίαι*—*μικραὶ καὶ οὐ πολυπληθεῖς* (Zonar.); and the *chorepiscopus*, probably, dwelt in the larger of them—*ἐν μέσοις ἀγροῖς καὶ κώμαις*, and not *ἐν ἐσχατίαις* ("the outfields"—as Dr. Chalmers would say) (Aristen.), that is, in the *ἐγχώριοι*, and not in the *ἀγροικικαί*—though both were subject to his inspection, and all to the city bishop or diocesan. See Bishop Taylor's *Episcopacy Asserted*, sect. XLIII. p. 216, seqq.

See Zonaras & Aristenus ad Can. XVII. Conc. Chalced.

Bevereg. *Synod.* Vol. I. pp. 134, 135.

Suicer. *Theaur.* in V. *παροικία*. col. 599. Tom. II.

Zeigler. *de Episcopis*, c. XIII. *de chorepisc.* XXI. p. 216. Routh *Opuscul. Ecclef.* Vol. II. p. 467.

Blondel. *Apol. de Episc. et Presb.* s. III. pp. 127, seqq.

can. 10. Concil. Antioch. can. 6. Concil. Sardic. *Hæ vicorum matres erant* (the mother churches) *ut metropoles civitatum. Unde forsàn Cephacastellum*, act. 3. Concil. Chalced. *in hac subscriptione*—*Noe Episcopus Cephacastelli subscripsi. Et nos in Gallia Narbonensi Metrocomias nunc Capeastles appellamus.* Phil. Berterius Pithanon, *diatriba* I. c. 6. pag. 71."

These *metrocomiæ* were, in after-days, the sites of the *baptismales ecclesiæ*, over which the *plebium archipresbyteri* or *deans rural* presided. "*His maximè baptismalibus ecclesiis, quæ aliarum velut matres erant*," says Thomassin, "*præficiébantur archipresbyteri, et hinc curam atque strenuitatem suam in plebes parochosque sui decanatus omnes explicabant*;" as, in earlier days, the *chorepiscopi* superintended the churches of their *chorepiscopate*.

(<sup>1</sup>) No clerks were allowed to be ordained in the primitive church *ἀπολελυμένως*—at least, the exceptions to the rule were very rare. The custom of consecrating bishops "*partibus infidelium*," who were never to see their bishoprics, was an abuse of the Romish church of later date. See Bingham *O. E. B.* IV. c. VI. s. 2, 3.

Zeigler *de Episcopis*, c. XIII. p. 216. *de chorepiscopiis*.

*Works* by Heber, Vol. VII. and Slater's *Original Draught* in answer to Lord King, p. 104. The latter of whom (Slater) very justly remarks, that these *villan bishops* though *bishops* in *villages* were not confined each to a *single* village: they had *territorial*, not congregational jurisdiction.

But the distinction, as to incumbencies, is not sufficiently marked, in Greek records of the incardination of the clergy below the rank of the urban bishop, to admit of more than conjecture, as to where the *chorēpiscopus* dwelt, and where the ordinary parochial minister alone. Nor is any light thrown upon the subject by the Latin versionists of the canons; who variously and indiscriminately render the same Greek terms by *presbyteri ruris*, as Dionysius and Cresconius; *presbyteri forastici*, as Martin of Braga; *presbyteri vicani*, as, in much later days, Gentian Hervet, &c. &c. And the local titles, bestowed on the *chorēpiscopí* in either language, are not more distinctive of the character of the rural residences.

Indeed, all we know about their *incumbencies*, is just this—after the church began, in Jeremy Taylor's words, “to put a bridle” on the *chorēpiscopí* by canon, and they were refractory and disobedient under the imposed restrictions, it was determined that no more persons of episcopal rank should be ordained in country places generally—*ἐν ταῖς κώμαις καὶ ἐν ταῖς χώραις—ἐν κώμῃ τινὶ ἢ βραχεῖα πόλει, ἥτινι καὶ εἰς μόνος πρεσβύτερος ἐπαρκεί*:—and thence we infer, that, before that restriction, such as were called *chorēpiscopí* were ordinarily *there* resident, in the most central and convenient, at least, if not the most important sites, within their respective jurisdictions,—“*extra urbem*,” says Morin, “*in pagis, vicis, et oppidulis*”

Filesci *Paracia*,  
cap. II. p. 25.

*B.I.C.* Tom. I.  
p. 123.  
—*App.* p. XXVI.  
—*App.* p. LXX.

N. Alexandri  
*Dissert. Eccles.*  
*Trias—Quæstio*  
*de chorēpiscopis*,  
pp. 166, seqq.

Bevereg. *Synod.*  
Vol. I. *Conc. Lao-*  
*dicens.* c. LVII.  
p. 479.  
*Conc. Sardic.*  
c. VI. p. 480.

*De Sacr. Ordina-*  
*tion.* P. III. Ex-  
erc. IV. c. I.  
*Rights of the*  
*Clergy*, p. 127.

—and Mr. Nelson—“in *the largest villages* of every diocese;”—though they never signed themselves as in connexion with any *particular* place, when subscribing the councils at which they were present, but merely “Palladius chorepiscopus,” “Seleucius chorepiscopus,” &c., with occasionally the title of their province. In the *Capitularies* of Charlemagne (L. VII. c. 187), they are called “*bilani episcopi*,” and by Hincmar (*Opusc.* 33. cap. 16. p. 437) “*bicani*.” But see Bishop Beveridge *ad can.* XIII. *Ancyran*. in Routh’s *Reliq. Sacr.* Vol. III. p. 486. also the councils of Laodicea and Sardica above quoted: Le Jau *de Auctoritate Pontificis*, Lib. IV. p. 588-9; Morifan. *de Protopapis*, c. VIII. II. p. 105, seqq.; and for the usage of Great Britain in selecting “*noted and populous towns*” for her urban bishops’ fees, *vide* Gibson’s *C. I. E. A.* Tit. VIII. cap. I., and for the subsidiary or suffragan bishops of England, appointed by the 26 Hen. VIII. c. 14. “who had their fees in *towns*, and not in *cities*,” see Dr. Burn’s *Ecclesiastical Law*, Vol. I. p. 227.

The view which the learned Selden takes of this part of the economy of the Greek church, as far as it has any bearing on the origin of endowments, may be learnt from the following brief episode, devoted to the subject, in his *History of Tythes*:—but he is, I should say, with all due deference to his profound antiquarian knowledge in general, decidedly in error, when he disallows any broad difference between *presbyteri parochiani* and *chorepiscopi*.

“As *metropolitick* fees, *patriarchats* (*exarchats* also in the eastern church) and *bishopricks*, those greater dignities, were most usually at first ordained and limited according to the distinction of seats of government, and

O. E. B. II.  
c. XIV. s. 10.

cited in  
Appendix  
*H. D. R.* Vol. II.  
Bingham, *O. E.*  
B. II. c. XII. s. 1,  
2, 3.

A. D. MDXXXIV.

*History of*  
*Tythes*, chap. VI.  
III. pp. 80, 81.



*Conc. Sardic.*  
cap. vi.

*Conc. Neocesar.*  
cap. lviii.  
*Conc. Antioch.*  
capp. lxxxvii.  
—lxxxix.  
*Leg. Aleman.*  
cap. xiii. *Conc.*  
*Gangr. can.*  
lxvii.

Bishop of Lin-  
coln's *Charge*,  
pp. 3, seqq.

inferior cities, that had been assigned to the substitutes or *vicarii* of the *Præfecti-prætorio* or *Vice-Royes* of the East or West empire; so were parishes appointed and divided to several ministers within the ecclesiastick rule of those dignities, according to the conveniences of country-towns and villages; one or more or less (of such as being but small territories might not by the canons be bishopricks) to a parish; the word *parœcia* or *parish* at first denoting a whole bishoprick (which is but as a great parish), and signifying no otherwise than diocese, but afterward being confined to what our common language restrains it. The curates of those parishes were such as the bishop appointed under him to have care of souls in them, and those are they which the old Greek councils call *πρεσβύτεροι ἐπιχώριοι*, or *οἱ ἐν ταῖς χώραις*, or *ἐν ταῖς κώμαις πρεσβύτεροι*, that is, *presbyteri parochiani*, within the bishoprick, neither were the *chorépiscopí* much different from them. These had their parishes assigned to them; and in the churches where they kept their cure, the offerings of devout Christians were received, and disposed of in maintenance of the clergy and relief of distressed Christians, by the *œconomi*, deacons or other officers thereto appointed under the bishop &c.”—But we are going astray. The reader who may wish for information on the usages of the Eastern church—the parent of all our institutions in Christian polity—is referred to Archbishop Wake's *Visitation Charge* at Leicester (MDCCIX), as bishop of Lincoln. He will there find an excellent summary of the subject, as bearing on the ancient rights and privileges of the church.

Such minute particulars are unimportant to the main drift of our present inquiry; which would only go to



prove, that, in very early days, there were in the country what we call parochial presbyters with local cures, subject to the supervision of episcopal coadjutors of urban bishops:—the necessity, reasonableness, and lawfulness of which organization of her priesthood by the Christian church, my predecessor of the *DEANRY* of Chalke has advocated in his instructive researches into the origin of the *DECANAL* office—shewing the practice of delegating to trustworthy superintendents the care and management of certain parts of ecclesiastical concerns, to be “grounded upon several precedents in the word of God.”—For these, and my very copious notes in farther explanation of “this partition of things belonging to the episcopal function in the Eastern church,” together with the origin, regulation, and dissolution of the first-appointed bishop’s deputies—“commanded to be esteemed very honourable” by the Neocæsarean fathers,—I must refer my readers to the illustrated reprint of the *AUTOGRAPH* annexed—requesting their attention, however, previously, to some farther remarks on the *CHOREPISCOPAL* office at its zenith and decline, and on its gradual transfiguration into *ARCHIPRESBYTERY*, in which it finally merged, both in the Eastern and Western churches.

Let me not be misunderstood, when employing the terms *subordinate* and *vicarious* in reference to these rural prelates. I would not have it supposed that the *CHOREPISCOPI* were ever, in point of *order*, other than *genuine* bishops, from the period of their first appearance to that of their final abolition:—however equivocal their character, in the opinion of the sceptical historian of the *Decline and Fall*, and however unwilling De Soto, De Marca, Morin, Natalis Alexander, Van Espen,

See Mosheim's  
*Eccles. History*,  
Cent. I. Part II.  
c. II. XIII. p. 106.  
Vol. I. Mac-  
laine's *Trans-*  
*lation*.

*H. D. R.* Vol. II.  
Appendix.  
Diocese of Salis-  
bury—*A Brief*  
*Account &c. &c.*

*Hist. of Rome*,  
Vol. II. p. 214.  
note. 4to. Edit.

and our own Selden, to grant them the full measure of their holy calling<sup>1</sup>.

*Dissert.* v. §. iv.  
pp. 300, seqq.

Their very name and origin, and the constitution of their office, prove their prelatical dignity, as Boëhmer has luminously shewn in his *Dissertationes Juris Ecclesiastici Antiqui ad Plinium Secundum et Tertullianum*; and more briefly, in his *Observationes Selectæ*, annexed to the end of the 1st Vol. of the Archbishop of Paris's learned treatise *De Concordiâ Sacerdotii et Imperii*.

Cap. XIII. *Ob-*  
*serv.* ix. pp. 334,  
seqq.

Boëhmeri *Dif-*  
*fert.* I. E. A. ad  
*Plin. Secund.* et  
*Tertull. Diss.* v.  
§. iv. p. 301. and  
*see* pp. 304, seqq.

There is no authority, the German asserts, for supposing that the *chorëpiscopoi* enjoyed not the full powers of the episcopate, in a state of independency, up to the period of the council of Ancyra.—“*Eandem dignitatem in agris habebat ὁ προεστὼς quam in civitatibus, eadem utrobique, autore Jusfino, munia obibat, et ita omnimoda episcoporum tam ruralium quàm civitatenſium erat ἰσοτιμία. Neque enim ante sæculum iv. ullum poteſt adduci teſtimonium, ex quo planum reddi poſſet, vel nomine hos episcopos in agris conſtitutos ab urbicis diſtinctos fuiſſe. Adhuc ſæculo iii. ſimpliciter vocati ſunt episcopoi &c*.”

(<sup>1</sup>) Raban Maur, Barlow, Hammond, Cofin, Cave, Beveridge, Baſnage, Johnſon, Bingham, Boëhmer, Weiſman, even Blondel himſelf, and, *inſtar omnium*, the very learned Preſident of Magdalen College Oxford, Dr. Routh, editor of the *Reliquiæ Sacræ et Opuscula Eccleſiaſtica*, being all arranged on the ſide of their *plenary* episcopal rank and function (and they are only a tithe of what might be cited), muſt aſſuredly outweigh the whole crew of diſſentients quoted by Bingham B. II. c. xiv. s. 2., many of whom, from finifter motives, would degrade the *chorëpiscopical* order, and amalgamate it with preſbyteracy.

Appendix.  
Salisbury Docu-  
ments.

(<sup>2</sup>) See notes to Priaulx's *Brief Account*, 10. p. 10. for an example; and *see* references there cited, and alſo Mr. Johnſon's admirable note to *can. x. Antioch.* in *Code of the Univerſal Church, Vade-Mecum*, Vol. II. p. 93. and Weiſmanni *Hiſtoria Eccleſiaſtica*, Vol. I. p. 434.

But when the polity of the church began to conform itself to that of the state, their condition worsened. Before that, all bishops were on an equal footing—the chorepiscopi being so many *συλλειτουργοί*, or *communiſtri*, or colleagues, of the bishops of cities, and not *bicarii* *episcoporum*, correctly speaking, till a later date. There was no such thing as subjection of rural to urban prelates, till the Ancyran fathers originated the limitation of the chorepiscopal function<sup>1</sup>—gradually more and more abridged by other councils; till, at last, nearly all their authority being taken away, the straitened chorepiscopi could do little or nothing *proprio jure*, but acted almost entirely by delegation. And then it was, that the title of *episcoporum bicarii*, or bishops' deputies<sup>2</sup>, was applied to them, the

*Ejusdem*  
§. VIII. pp. 308,  
seqq.

*Provenc. l. i.*  
T. II. gl. in v.  
*eorum vices.*  
Walon, Meſſalin.  
*de Episc. et*  
*Presbyt. p. 312.*

(<sup>1</sup>) At this and later date, Mr. Lewis says, their office was, to preside over the country clergy, and inquire into their behaviour, and make report thereof to the city bishop: and also to provide fit persons for the inferior service and ministry of the church. And, to give them some authority, they had the following privileges conferred upon them. 1. They were allowed to ordain readers, subdeacons, and exorcists, for the use of the country churches; but they might not ordain priests nor deacons without the special leave of the city bishop, under whose jurisdiction both they and the country were. 2. They had a power to confirm those who were newly baptized in country churches. 3. They had power to grant letters dimissory to the country clergy who desired to remove from one diocese to another. 4. They had liberty to officiate in the city church in the presence of the bishop and presbyters of the city, which country presbyters had not. 5. They had the privilege of sitting and voting in synods and councils.

*Lewis's Essay*  
*on Suffragan*  
*Bishops, p. 6.*

*Conc. Antioch.*  
can. x.

*Conc. Antioch.*  
can. VIII.

*Conc. Neocæsar.*  
can. XIII.

*See Routh's Reliquiæ Sacrae,*  
Vol. III. p. 486.  
*Fol. XXXIII. a.*  
*Ed. 1554.*

(<sup>2</sup>) In the *Manual according to the use of Sarum*, the suffragan seems to be called the bishop's deputy; since, in the charge there given "to godfathers and godmothers," they are charged, "to lerne the child, or se that he lerned the *Pater noster*, *Ave*, and *Credo*, after the lawe of all holy church, and in all goodly haste to be conformed of my lord of the diocese, or of his deputy."

very title employed by our own Lyndwood to designate *deans rural*, "*quasi qui ἐν χώρῃ ἐπισκοπὴν constituti et locum ejus tenentes.*" From this state of deteriorated authority of villan bishops, the transition was easy enough, with a little more curtailment, to *bisitorial archpresbyteracy*<sup>1</sup>.

Accordingly, it was on the abolishing and antiquating of these officers, (of whom I fear the reader will think too much has been already said, and will ill bear what remains behind,) that Duaren supposes *bican archpriests* or *deans* were brought into general use—invested with powers much inferior to their mitred predecessors, and less likely, by approximation of rank, to become offensive to urban episcopacy—"quibus neque episcopi nomen attributum est," says the canonist of Bourges, "*neque aliud quicquam eorum, quæ episcoporum propria sunt: ne fortassè ipsis audaciæ atque insolentiæ illius, propter quam dejecti fuerant minuti isti episcopi, occasio præberetur.*"

*De Sacris Eccles. Minister. ac Benefic. L. I. c. ix. p. 23.*

*Gloss. Archæol. in voce, p. 134.*

In which opinion, he is supported by Sir Henry Spelman;—who, having stated that the *chorespiscopus* was "*ideò institutus, vel potius substitutus, ut dum episcopus civitatem, hic vicarius ejus, rus et villas curaret,*" concludes his glossarial remarks in the following words:—"Chorespiscoporum munus cum nomine sensim antiquatum, abolevit (nec pridem) ecclesia: subinductis verò in eorum vicem (qui episcopis liberius cedunt, et humiliori jure contenti sunt) archpresbyteris, aliàs decanis ruralibus, et plebanis<sup>2</sup>."

(<sup>1</sup>) See Bishop J. Taylor's *Episcopacy Asserted*, sect. xxxii. pp. 130, 131. Vol. vii. *Works*, by Heber; and Blondel. *Apolog. pro sentent. Hieronymi de Episcopis et Presbyteris*, sect. iii. p. 95.

(<sup>2</sup>) See Thomassin and Morin beyond; Nelson's *Rights of the Clergy*, p. 271; *A Humble Proposal for Parochial Reformation*, c. i. p. 15; and Pegge's *Letter to Ducarel on Bishops in Partibus Infidelium*, p. 22.



Such, assuredly, was the relative position of these spiritual office-bearers, the one to the other, in the church at large, both in the east and west;—the rural or *bícan archipresbyter* or *protopresbyter*, the head presbyter of the country, in general terms, succeeding the *chor-episcopus*<sup>1</sup>:—in the west, immediately and by name,—without the intervention of any other title,—in the east, mediately and under the changeful appellations of ΠΕΡΙΟΔΕΥΤΗΣ, ΕΞΑΡΧΟΣ, ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ, and ΠΡΩΤΟΠΑΠΑΣ—*visitor, exarch, protopriest, and protopope*. In the west, no canon of any synod substitutes the lower for the higher dignity, till many centuries after the thing had taken place;—indeed, none, within my knowledge, till the twelfth century. But in the east, such a canon is found in the fourth century,—the provincial council of Laodicea (*A.D.* ccclxiv.) confirmed by the œcumenic council of Chalcedon (*A.D.* ccccli.), distinctly substituting *visitatorial presbyters*, delegate superintendents of the spiritual concerns of the country, entitled ΠΕΡΙΟΔΕΥΤΑΙ, in the place of *bícan bishops*; in compliance with the Sardican canon, which had forbidden the erecting episcopal sees in country villages<sup>2</sup>, “left the name

*CC. M. B. et II.*  
Vol. i. p. 517.

*SS. CC. Tom. I.*  
col. 1539. *Tom.*  
iv. col. 1681.

*Bevereg. Synod.*  
*Tom. i. p. 490.*  
& *B. I. C. V.*  
*Tom. I. p. 132.*  
*App. p. lxxxii.*

*On Rural Bi-*  
*shop's. Observa-*  
*tions &c. p. 48.*

*Bibliotheca Topographica Britannica*, N°. xxviii. Strype's *Cranmer*, Vol. i. pp. 51. 87. Vol. ii. p. 1041. and Archd. Manning, of *the Unity of the Church*, pp. 142, 143, and notes.

(<sup>1</sup>) “*Recentiorem esse hanc vocis protopapæ notionem adpositè monuit cl. Mazochius*,” says Morisani, “*quòd nusquam priùs adparuerint hujusmodi protopapæ, nisi è medio sublatis in Græciâ chorepiscopis; ac suoapte veluti regiminis ingenio, substitui in pagis oportuit, qui quedam illorum officia supplerent, ut periodontis, mutato nomine, subrogatos fuisse exarchos tradunt.*”

*Morisani de*  
*Protopapæ, cap.*  
*vii. p. 115.*

(<sup>2</sup>) The church, being apprehensive “left the wandering employment of the *chorepiscopi* should reflect dishonour on the episcopal office,” (at least

*Cave's P. C.*  
*Part i. c. viii.*  
*p. 224.*



and dignity of a bishop," in Burnet's language, "should be vilipended."

SS. CC. Tom. VI.  
col. 539.

In the councils of the western church, the Laodicean ΠΕΡΙΟΔΕΥΤΗΣ—the visitator of Dionysius and Cresconius, the curator of Salmasius and Suicer—has no place by his eastern name, though functionally he appears to be the archpresbyter or dean rural:—under the former of which appellatives, he is recorded, for the first time, in the nineteenth canon of the council of Tours (A.D. DLXVII). Wherever found, and under whatever title, the officer in question is, in rank and capacity, below the villan bishop and above the villan presbyter, as is evident from the passages cited by Bishop Beveridge from Justinian and Gennadius, in his learned *annotations* on the fifty-seventh canon of the synod of Laodicea<sup>1</sup>.

Annot. p. 198.  
Synod. Tom. II.

Granting, however, that, in the east, the ΧΩΡΕΠ ΣΚΟΠΟΣ

Observat. x. ad  
calcem P. de  
Marc. de C. S.  
et J. Tom. I.  
p. 337.

Jus Ecclesiast.  
Protejtant. L. III.  
Tit. XXXIX.  
§ XXII.

least such was one plausible plea for the alteration,) "appointed these presbyters itinerant in their room; who, being tied to no certain place, were to go up and down the country, to observe and correct what was amiss." Or, it may be, as suggested by Justus Henning Boëhmer, that the ΠΕΡΙΟΔΕΥΤΑΙ owed their institution to the circumstance of the chorepiscopi having pertinaciously resisted the continual interference of the urban bishops with the exercise of their episcopal functions; in consequence of which, the latter, being desirous to get rid of them, appointed visitors in their stead, to superintend and inspect the country churches. "*Ita villanis ecclesiis schema quoddam et umbram officii episcopalis*" (says he elsewhere) "*quod explicuere ΠΕΡΙΟΔΕΥΤΑΙ, relinquere voluerunt, ut faciliiori operâ et sine murmuratione chorepiscopi extingui possent.*" See Archdeacon Parker's *Account of Church Government for the first six hundred years*, pp. 155, seqq.

(<sup>1</sup>) See Burnet's *Supplement about Rural Bishops*, annexed to his *Observations on the first canon of the Apostles*, p. 49.

of the third century became the ΠΕΡΙΟΔΕΥΤΗΣ<sup>1</sup> of the fourth, the ΕΞΑΡΧΟΣ, perhaps, under the bishops afterwards, and lastly the ΠΡΩΤΟΠΑΠΑΣ<sup>1</sup>, with its various synonymous titles in the writings of the canonists and scholiasts of the Greek church, (for proofs of the truth of which positions, in the commentaries of Balsamon, Zonaras, Aristenus, and Blastares, the reader is referred to my annotations on Dr. Priaulx's *Brief Account* annexed)—how, it will be asked, passed this *eastern* visitor into the *western* church? and why should it be supposed, that the rural archpresbyter of the latter derived the constitution of his spiritual superintendency from the ΠΕΡΙΟΔΕΥΤΗΣ of the former?—The probability of the circumstance, founded on the similarity of their office and their geographical distribution, is all we can allege in support of the notion, that the Asiatic visitor is the archetype of the European dean rural.

*Firſt* ;—as to their similarity of function—take Balsamon's exposition of the Laodicean canon—ἄλλοι μὲν κανόνες ἐν ταῖς κώμαις καὶ ἐν τοῖς χωρίοις ΧΩΡΕΠΙΣΚΟΠΟΥΣ καὶ

H. D. R. Vol. II.  
*Appendix*,  
Salisbury Docu-  
ments.

Jusſell. *Notæ ad*  
*B.I.C.V.* Tom. I.  
pp. 89, 90.  
Bevreg. *Synod.*  
Tom. I. pp. 479,  
480. & Tom. II.  
p. 198.

(<sup>1</sup>) In the council of Chalcedon, presbyters bearing the title of ΠΕΡΙΟΔΕΥΤΑΙ are noticed—ὁ εὐλαβέστατος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ Ἀλέξανδρος (act. IV.)—Βαλέντινόν τινα . . . . πρεσβύτερον καὶ ΠΕΡΙΟΔΕΥΤΗΝ (act. X.)—and again, in the fifth council of Constantinople, Σέργιος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ. See Bingham's *Ecclef. Antiq.* L. II. c. XIV. 12.

SS. CC. Tom. IV.  
p. 535.

Tom. v. p. 45.

(<sup>2</sup>) "*Ut apud nos,*" says Morisani, "*chorepiscopi rurales archipresbyteri, decanique Christianitatis, ita et apud Græcos suffecti sunt protopapæ plebium curiones.*" And in the twelfth century, Aristenus had written in his gloss on the tenth canon of Antioch and the letter of St. Basil on the subject of the chorepiscopi—ΧΩΡΕΠΙΣΚΟΠΟΙ δὲ εἰσιν, οἱ σήμερον ἐν ταῖς κώμαις καὶ χωραῖς ΠΡΩΤΟΠΑΠΑΔΕΣ λεγόμενοι. See Routh's *Reliquiæ Sacre*, Vol. III. p. 439.

*Diatriba de*  
*Protopapâ,*  
c. VII. p. 110.

πρεσβυτέρους καθίστασθαι διορίσαντο· ὁ δὲ παρὼν κανὼν ΠΕΡΙΟΔΕΥΤΑΣ παρακελεύεται γίνεσθαι καὶ μὴ ἐπισκόπους· ἵνα μὴ γένηται εὐκαταφρόνητος ἡ ἀρχιερωσύνη. ΠΕΡΙΟΔΕΥΤΑΙ δὲ εἰσιν οἱ σήμερον προβαλλόμενοι παρὰ τῶν ἐπισκόπων ΕΞΑΡΧΟΙ. οὗτοι γὰρ περιοδεύουσι καὶ ἐπιτηροῦσι τὰ ψυχικὰ σφάλματα, καὶ καταρτίζουσι τοὺς πιστούς.—and that of Zonaras—ΠΕΡΙΟΔΕΥΤΑΙ δὲ λέγονται, διὰ τὸ περιέρχεσθαι, καὶ καταρτίζειν τοὺς πιστοὺς μὴ ἔχοντας καθέδραν οἰκείαν. (See more, in my notes to Priaulx.)

Annot. ad can.  
LVII. Laodiceen.  
Synodic. p. 192.

B.I.C.V. Tom.I.  
p. 90, vide Trac-  
tat. de Visit.  
Episc. per A.  
Episc. Midenf.  
A.D. MDCXCVI.  
pp. 4, 5.

—Next, hear Bishop Beveridge's gloss on the same ΠΕΡΙΟΔΕΥΤΑΙ—"Hi presbyteri erant, qui nullo certo loco addicti, episcopi nomine rusticanas paræcias circumeuntes, eas visitabant; unde circuitores et visitatores dicti sunt."

--Next, Justellus's—who cites them in a letter of Gregory the Great, under the same title of visitors, in the Latin church—"Visitatores ecclesiarum, clerique eorum, qui cum ipsis per non suæ civitatis parochias fatigantur, aliquod laboris sui capiant, te disponente subsidium." Gregor. L. III. Ep. 11. ad Maximian. Episc. Syracus.

—And lastly, Petrus de Marca's—who *wrongly* identifies the chorepiscopus and ΠΕΡΙΟΔΕΥΤΗΣ (for, if the same, we surely may ask, with Archdeacon Parker, Why was one abrogated, and the other substituted in his place? and why, let me add, amongst the Syro-Maronites, should both ecclesiastics be, now-a-days, continued? Why? but that they *ever* were as quite distinct in the elder Greek church, as they *at present* are amongst the Christians of Mount Libanus, where they have totally different allotments of office to perform)—but *rightly* qualifies the ambulatory character of the ΠΕΡΙΟΔΕΥΤΗΣ with "*nisi aliter visum fuerit episcopo, qui periodutam alicui ecclesiæ vicinæ adscribere potest, collato et adjuncto munere cæteras visitandi. Quæ videtur mens fuisse Synodi Laodicensæ; cum antè*

Account of  
Church Govern-  
ment for 600  
years, p. 157.  
Morian. de  
Preterariis,  
c. VIII. p. 120.

De Concord. Sa-  
cerd. et Imper.  
L. II. c. XIII.  
Tom. I. p. 284.  
4to. Edit. Bam-  
bazis. et B. èh-  
mer. Observat.X.  
ad calcem Tom.  
cjuisem, p. 357.

*chorepiscopi ministerium clero civitatis adscriptum potius videretur quàm vicarie alicui ecclesie affixum.*"

Now, it is in the delegate character of this visitatorial function, and, more particularly, in the latter constitution of it, that the ΠΕΡΙΟΔΕΥΤΗΣ<sup>1</sup>, uniting the office of a parochial incumbent and that of a visitor, approximates most closely to the archpresbyter-rural of the west, as found amongst ourselves:—and it is, when not so specially connected by local ties to a circumscribed and particular supervision, with incumbency—καθέδραν οἰκείαν μὴ ἔχων, "*nulli sedi adscriptus*"—that the same officer assimilates with the forancous vicar or dean rural of the archdiocese of Milan. Nor is he, indeed, under the latter type, without his counterpart in Spain; where, Augustin Barbosa tells us, are "*visitatores aut vicarii foranci, quorum operâ episcopus in totâ utitur diœcesi*"—in fact, rural archpresbyters or deans. But whether commissioned at large, or otherwise, the περίοδευτæ of old were, in Boëhmer's words, "*quasi procuratores et episcoporum vicarii*," and, as such, "*regiones episcoporum circumibant et visitabant.*" And such, in the modern orthodox Russian church, are the diocesan representatives of the old περίοδευτæ called, in the Russian language, Βλαγοχεννίε (*see* extracts from Archbishop Platon's *Instructions* in the Appendix)—and such, in the Lutheran church there established, are the Probsts, answering to the Βλαγο-

Zonaras *ad Can.*  
LVIII. *Conc.*  
*Laodicea.*

*De Canonicis et*  
*Dignitatibus,*  
c. VI. p. 68.

*Appendix, Rus-*  
*sian Documents.*

(<sup>1</sup>) "Visitator, ΠΕΡΙΟΔΕΥΤΗΣ, appellatur chorepiscopus in concilio Laodicensi: eoque nomine pulcherrimè spiritualis hæc jurisdictio declaratur. Cum enim vicarii foranci episcoporum essent, et ù prorsus qui postea dicti sunt decani rurales, in visitando maxime eo tractu, qui eorum fidei et administrationi creditus fuerat, spiritale suum imperium, jurisdictione et charitate temperatum, explicabant."

Thomassin, *V. et*  
*N. E. D.* Tom. I.  
Part I. L. II.  
cap. I. § X. p. 217.



chennic. (See extracts from the *Statutes* of the Lutheran church of Russia, in the Appendix.)

*Secondly*;—with regard to their geographical distribution.—It is not unworthy of repetition, that the first synodical notice of the ΠΕΡΙΟΔΕΥΤΗΣ is in the provincial council of Laodicea, in the fourth century; that of the archpresbyter-bícan, in the council of Tours, and in the writings of Gregory, bishop of that see, in the sixth century: and that it is the opinion of the learned, that there was an early connexion between the Gallican and Asiatic churches<sup>1</sup>. Irenæus, bishop of Lyons, the first

See Burton's  
*Lectures on Ec-  
cles. History*,  
Lect. XX. p. 172.

*Origines Litur-  
gicæ*, Vol. I.  
pp. 108, 9.

*Conc. Laodic.*  
can. XIX. C. C.  
*E. U. in B. I. C. V.*  
Tom. I. p. 51.

*Hist. Eccles.*  
Bède, lib. II.  
c. II. CC. M. B.  
*et H.* Vol. I. p. 25.

Roberts's *Ap-  
pendix*, No. VI.  
p. 316. *Disserta-  
tion on the Hist.*  
*of the Anc. Brit.*  
*Church*.

(<sup>1</sup>) The original sameness of the ancient liturgies of the exarchate of Ephesus (the churches, that is, of Asia and Phrygia, including Laodicea), and primitive Gaul, is reasonably entertained by Mr. Palmer in his *Origines Liturgicæ*; and it is a curious fact, that, whereas the latter essentially differed from the Roman, the Alexandrian, and the Great Oriental, its variation from the last, viz. that of Basil and Chrysostom, is distinctly pointed out as being in that very part which is so carefully regulated by the nineteenth canon of Laodicea. Whence the learned author infers the previous existence in the Asiatic exarchate of a primitive liturgy (perhaps of apostolical origin) identical with the Gallican, and subsequently conformed to the Oriental by the interference of the canon in question.—Let me subjoin, as interesting to ourselves—

There is no trace of more than two primitive liturgies in the west—the Gallican and Roman. The former seems to have prevailed in Gaul and Spain, and probably in Britain: at least the British differed from the Roman, as appears from the answer of Augustine to the British bishops at the Worcestershire conference—the “*cætera quæ agitis moribus nostris contraria*,” the customs contrary to the Roman customs: whence is inferred the sameness of the Gallic and British rites and ceremonies of worship. See Spelman. *Brit. Conc.* Tom. I. p. 167; and Stillingfleet's *Orig. Brit.* c. IV. The British church observed the rule of the Gallican, as to the time of keeping Easter: and as the church of Lyons followed the doctrines of Irenæus, who received them from Polycarp, the disciple of St. John, so the British church referred their doctrines decisively to the same Apostle.



founded Christian establishment of Gaul, was a disciple of Polycarp, bishop of Smyrna; and many of the missionaries of the former church are reported to have been disciples of the disciple of St. John. From Asia, therefore, the church of Gaul may reasonably be supposed to have originally derived her ecclesiastical rites, customs, and discipline, founded, in all probability, on the instructions given by St. John to the seven churches of that country (of which Laodicea was one), and more or less modified, *at a later period*, by such canons as were enacted by the councils of the parent church for the subsequent regulation of her own polity. In Asia Minor, chorepiscopi originally abounded, and subsequently περιœδευται. If, therefore, from Asia came the polity of the Gallican church, it is not unreasonable to suppose that from Asia came the institution of subordinate rural visitors into the diocese of Tours; where they first appear in Western Europe, nearly two hundred years after their creation in the east; but as soon, perhaps, as the economy of the western church admitted or required parochial visitation by other than bishops<sup>1</sup>.

W. T. Conybeare's *Bampton Lectures* 1839. pp. 284-5. & note.

*Revelation*, chap. I. v. 11. & chap. III. v. 14.

(<sup>1</sup>) Upon these dark points, where so much is left to conjecture, I venture not to hazard an opinion, but merely suggest the probability of the above hypothesis. "I would have none to ymagine that I take upon me peremptorily to determine anie thing in this matter of antiquitie, as being not ignorant with what obscurities questions of this nature are involved; espetially where helpe of auncient monuments is wanting. My purpose only is, to pointe unto the ffontaines, and to compare the present state of thinges with the practice of auncient tymes; thincking I have done well if hereby I maie give occasion of further inquirie unto those who have greater judgment and more leifure to boulte out the truth of this busines."

Usher's MS. *Treatise on Herenaches* &c.

Bingham *O. E.*  
B. II. c. XIV. s. 12.

Archd. Parker's  
*Account of Ch.*  
*Government,*  
p. 155.

Bevereg. *Synod.*  
Tom. I. p. 439.

SS. CC. Tom. IX.  
col. 695—826.  
*Conc. Aquisgr.*  
II. capit. II.  
can. IV.

*Canones Arabici*  
*ex editione Al-*  
*fonfi Pifani et*  
*Francifci Tur-*  
*riani in Hart-*  
*man. et Ruel.*  
*CC. Illytr.*  
Tom. II.

Though the archipresbyteral or protopresbyteral, perideutal or visitatorial, office was intended by the ancient councils of the church to supersede the chorepiscopal, and did eventually do so; still it was a long time before this change of polity was finally consummated. For effecting the object, the canons were, for the most part, topical, and concerned only particular provinces: so that we find the church, about this date, says Archdeacon Parker, variously governed, in some places by country bishops, in others by visiting presbyters, and in some dioceses by both<sup>1</sup>. Even in the Greek church, it would appear from Balsamon's commentary on the tenth canon of the synod of Antioch, chorepiscopî and protopapades co-existed—*κεκωλυμένον ὑπὸ τῶν κανόνων ἐστὶν, ἐπισκόπους γίνεσθαι εἰς βραχείας πόλεις καὶ κώμας, καὶ διὰ τοῦτο ἐχειροτόνουν εἰς ταύτας πρεσβυτέρους, ἧτοι ΠΡΩΤΟΠΑΠΑΔΑΣ, καὶ ΧΩΡΕΠΙΣΚΟΠΟΥΣ*. In the Latin church of the ninth century, the superior functionary co-existed with the inferior,—the former, we may suppose, in a waning, the latter in a nascent state; and the bishop had the advantage of the triple ministration of chorepiscopus<sup>1</sup>, archpresbyter, and archdeacon:—to whom, collectively, the title of "*episcoporum ministerii adjutores*" is applied by the third capitular of Louis the Pious, chap. v., and that of "*episcoporum ministri*," by the second council of Aix-la-

(<sup>1</sup>) In the full enumeration of ecclesiastical officers in the Latin version of the Nicæno-Arabic canons (of very doubtful, or no authenticity) annexed to the genuine Nicene code, archpresbyters are also joined with chorepiscopî and archdeacons at a much earlier date (*A.D.* cccxxv). But there, probably, urban or cathedral archpriests are meant. The fifty-eighth canon speaks of the chorepiscopus and archdeacon "*tanquam duæ manus et duæ alæ, quibus episcopus volat.*"

Chapelle (*A.D.* DCCCXXXVI.), in the latter part of chap. II. *de vitâ et doctrinâ inferiorum ordinum*. From whence may be inferred the compatibility of their contemporaneous jurisdiction, as well as their general subjection to one superior.

And why should they not have been co-existent in extensive dioceses? For the archdeacon being, in those days, a close attendant on the bishop in the episcopal city, resident there, and only occasionally, and on special business, sent, as a commissary or mandatary, into the country (more often on secular than on spiritual affairs), there was room enough for the employment of the other two in their purely spiritual capacities, without interference with each other's privileges, or those of the urban bishop. To the *chorepiscopus*, or *billanus episcopus*, of the date alluded to, we readily assign<sup>1</sup> a general superintendency over the whole country region and its villages, remote from the episcopal see, and the exercise therein of certain episcopal functions, gradually more and more curtailed to the period of their final annihilation, in lieu of the urban bishop; who "himself looked to the metropolis and the daughter-churches by a general supervision:"—To the *archpresbyter*, we grant a partial superintendency over a certain number of parishes of a particular district, within the precincts of which he was himself incumbent<sup>2</sup>.

Battely's *Can-  
tuaria Sacra*,  
Part IV. chap. II.  
p. 139.

Taylor's *Epi-  
scopacy Asserted*,  
xxxvii.

(<sup>1</sup>) "*Chorepiscopi ministerium est*," says Ebbo, bishop of Rheims, "*omnem sacerdotalem totius regionis sibi commissæ conversationem corrigere atque dirigere &c.*" See P. de Marca *de C. S. et I. Lib.* II. cap. XIV. Tom. I. p. 293. 4to. Edit.

(<sup>2</sup>) So Dr. Cofin, *Tab.* XI. seems to divide these functionaries:—"per totam aliquam diocesim; ut episcopi titulares qui olim chorepiscopi, nunc

*Opusc. Ebbon.  
de Min. Eccl.  
Remaus.*

*Prima Linea-  
menta præsentis  
Politice Eccle-  
siasticæ Angliæ*,  
MDLXXXIX.

Such an arrangement of ecclesiastical officers—each respecting the rights and privileges of the other, and all having the common good of the church at heart—appears to us as if it must work well, and be productive of much advantage. But it was not so;—harmony did not, long together, reign between the bishops and their mitred rural deputies<sup>1</sup>, who were continually put down, and again restored, according to the temper of diocesans, for several centuries; till the church, becoming, at last, weary of the continual clashing of episcopal and chorepiscopal interests, determined, in the time of Charlemagne<sup>2</sup>,

Capitular. L. vi.  
cap. 121.

*nunc episcopi suffraganei vocantur &c. &c.—In parte aliquâ diœceseos, ut archipresbyteri (quos decanos rurales vocant) atque nunc plerumquẽ adhibentur ad convocandum clerum.—Significandum eis nonnihil ab Ordinario (ut fit) per literas.—Inducendum in beneficia vice archidiaconi remotius agentis.”*

On the causes which induced the popes to change the chorepiscopi into titular bishops, see Nelson's *Rights of the Clergy*, p. 127; also Boëhmer. *Dissertat. v. de Christianorum cætibz in vicis et agris*, § viii. p. 308. *D. I. E. A.* The latter began to be appointed, according to Jortin, at the close of the second century. *Ecclef. Hist.* iii. 64. See also Newman on *Suffragan Bishops*, p. 38.

Origines Eccle-  
siast. L. ii. cap.  
xiv. § xii.  
Tom. i. p. 199.

(<sup>1</sup>) Mr. Bingham alleges other causes for their final suspension and abolition—“*Jam verò potestas chorepiscoporum*” (I quote from Grisechovius's version) “*labascebat, et ad deteriorem statum inclinata gradatim imminuebatur, donec tandem sæculo ix. fictis et fabricatis decretalibus et in scenam productis, haud veri nominis episcopi esse dicerentur: atque ita per paparum tyrannidem in ecclesiis occidentalibus prorsus abrogarentur.*”

Capitular. Reg.  
Francor. Lib. vi.  
c. 121. Tom. i.  
p. 327.

(<sup>2</sup>) “*Placuit ne chorepiscopi à quibusdam deinceps fiant, quoniam hætenus à nescientibus sanctorum patrum et maximè apostolorum decreta, suisque quietibus ac delectationibus inservientibus facti sunt. Idcirco et olim persæpè, et nostro, à sanctâ apostolicâ sede sunt prohibiti; et ne deinceps à quoquam, tam ordinante, quàm ordinari cupiente, talis præsumptio assumatur, à cunctis regni nostri episcopis est in synodo canonico prohibitum.*” And the same was decreed by several other councils

(see



on the entire suspension of the latter order; (as far at least as such an object could be effected by canon; for many bishops "*suis quietibus ac delectationibus inhærentes*," still continued to depute the labours of the episcopate to their inhibited representatives of the country,) and apportioned the several duties to the city bishops, archpriests and rural deans. — "*Nomen primum sustulerunt episcopi, ne amplius superbiendi illis occasionem daret: deinde officia bipertiti sunt. Quæ episcoporum erant propria, ut ordinare, ecclesias consecrare, confirmare, et ejusmodi cum nullo presbytero ab eo tempore amplius communicarunt, sed sibi solis reservarunt. Cætera verò quæ ad*

Morin. *de Sac. Ordinat.* P. III.  
Exercit. IV. c. VI.  
p. 57. II.

(see Ducange in voce *chorepiscopus*): but yet, for all that, they struggled on for a long time after, and were not totally abrogated, as Peter de Marca observes out of Sigebert, till the end of the eleventh century. See De Soto *de Institutione Sacerdotum qui sub episcopis animarum curam gerunt*, p. 340-41; Dodwell's *Separation of Churches*, cap. XXIII; Archdeacon Parker's *Account of Church Government*, p. 160; Boëhmer *Jus Ecclesiast. Protestant.* Lib. III. Tit. IV. § XXXI, XXXII.; and an article in the *British Magazine* for Sept. 1836—on rural bishops and rural deans—to which the Editor of that periodical calls particular attention in a footnote p. 300.

"*Damnatus tamen non ubique chorepiscopus*," says Matthæus, "*et utut centies damnatus, episcoporum ignavia tamen, tum seculi negotiis obfessi et impediti, dum otio suo consulunt, paulatim revixit &c.*" And so Natalis Alexander — "*Chorepiscopus foveit episcoporum in sacris ministeriis obeundis desidia. Homines scilicet laici ad episcopalem dignitatem honoribus et divitiis opimam erecti, onera illi conjuncta ferre dedignabantur, ideoque illa in chorepiscopos transferebant, dum interim ipsi liberius genio suo indulgerent.*" A further reason for the continuance of these prelates may be found in the opportunity thereby afforded to kings and rulers of putting off the election of urban bishops to vacant sees, and receiving into their own pockets, or those of their courtiers, during vacancies, the difference between the larger income of the superior ecclesiastics and the limited stipend of their substitutes.

*De Nobilitate*  
&c. L. II. c. XL.  
p. 632.

*De Chorepiscopis*  
*Dissertatio*,  
p. 187.



*jurisdictionem, et ecclesiæ regimen pertinent, archipresbyteris, et decanis ruralibus potissimum attribuerunt. Unde etiam antiquitus paulo post chorepiscoporum extinctionem archipresbyteri à multis decani rurales vocabantur, ut notat Innocentius III.*

*Vet. et Nov.  
Eccl. Discipl. de  
Benef. Tom. I.  
P. I. L. II. c. v.*

*De Concordia  
Sacerd. et Imper.  
L. II. c. XIV.  
Tom. I. p. 294.*

*De Sacr. Ordina-  
tion. B. III. Ex-  
ercit. IV. c. VI.  
p. 57. III.*

Nor does Thomassin's appropriation of the antiquated duties of the chorepiscopate differ from Morin's; save that he grants a share of them to the ruling deacons—*"Proximo post chorepiscopos loco erant archipresbyteri, quo factum est ut ubi sublatum est illorum collegium, in maximam partem protestatis et ministerii eorum adoptati hi fuerint, parte reliquâ in archidiaconos refusâ:"*—in which latter remark, he is supported by Peter de Marca, who grants to the archdeacons *"solicitudinem animadvertendi in presbyteros et pagorum visitandorum, quæ præter cætera chorepiscopis competeat,"* but takes no notice whatever of the portion of those duties which fell to archpresbyters:—whereas Morin looks upon the latter as having enjoyed them prior to their being shared by the archdeacons—*"Postea nescio quo casu plurimum imminuta est archipresbyterorum auctoritas, et cum archidiaconis contra jus antiquum communicata."*

Elsewhere, Thomassin, cursorily glancing at the decayed office of the chorepiscopus during the sixth and seventh centuries, yet farther notices the strong affinity which it would have borne to the rural archpresbyter's, had the latter enjoyed<sup>1</sup> a greater territorial extent of

*Colet. Not. ad  
Can. Arabic.  
Conc. Nicæn.  
SS. Conc. Tom.  
II. col. 317.*

(<sup>1</sup>)—Which more extensive jurisdiction obtained at a later date in the diocese of Milan, in the case of the foraneous vicars of Archbishop Borromeo.—*"ad vicem chorepiscoporum, quibus jam non opus est, accedunt nunc visitatores quos vocant, in Mediolanensi ecclesiâ, vicarios foraneos: hi sunt sacerdotes probati, quos episcopus deligit, et certas regiones diœcesis suæ attribuit inspiciendas et lustrandas, ut in civitate suâ gregem qui*

parochial jurisdiction: "*hoc saltem dicemus, cum archipresbyteris ruralibus magnam chorepiscopis affinitatem intercessisse, si horum fidei plures essent mandata subjectæque parochiæ.*" "*Quos Græci chorepiscopos, hoc est certarum regiuncularum in quâlibet diœcesi speculatores,*" says the synod of Augsburg, "*alii archidiaconos, alii archipresbyteros vocant, in nostrâ ecclesiâ cathedrali, quo ad certum districtum mœnibus Augustanæ civitatis adjacentem archidiaconi, in reliquâ verò diœcesi decanorum ruralium nomine censentur.*" Lastly, Filescac affirms the identity of the Greek *periodeutæ* and Latin *deans rural* in these words—" *Si jus canonicum Latinorum sequi vellemus periodeutas non alios significare quam archipresbyteros seu decanos rusticanos diceremus:*" and Natalis Alexander states the devolution of chorepiscopal visitation and correction to archdeacons and *deans rural*:—" *Sollicitudinem lustrandi rusticanas parochias, et corrigendi presbyteros, quæ chorepiscopis competeat, in archidiaconos et decanos rurales transfuderunt episcopi:*"—and once more Blondel—" *In horum curam archidiaconi, archipresbyteri, quosque nunc decanos rurales vocare mos est, ex parte successerunt.*" Apolog. Sect. III. p. 134. See also Morisani. de Protapapâ, cap. VII. p. 108. to the same point; and particularly, p. 115. where he says expressly that the protopapac plebium curiones succeeded the chorepiscopi.

But enough:—To multiply authorities on so clear a point as the origin of the rural archipresbyterate or decanate (for we may, with Thomassin, use the terms as signifying the same jurisdiction) out of the chorepiscopate,

Thomassin. *V. et N.E.D. Part. I. L. II. c. I. 16.* p. 218.

SS. CC. Tom. XIX. col. 1301.

Parocchia, cap. IV. p. 59.

Dissertatio de Chorepiscopis, p. 188. Dissert. Eccles. Trias.

Diatriba de Protapapâ.

*qui extra civitatem est, quasi præsens intueri et curare possit: quibus qui primi nomen hoc imposuerunt, videntur mihi nomen chorepiscopi ab inspicendis regionibus interpretati."*

appears altogether unnecessary; and therefore I need not accumulate on the many names already adduced in support of the opinion, those of Goar<sup>1</sup>, Valesius<sup>2</sup>, M.A. de Dominis<sup>3</sup>, Stillingfleet, Downname, Colet, Richard, Brett, Pegge, Nelson, and others. The fact speaks for itself; and, as Morin has observed, the words of the thirteenth canon of the Pavian council (*A.D.* DCCCL.), repeated in that of Rome or Ravenna (*A.D.* DCCCIV.), indirectly confirm the correctness of our view.

The canon referred to is an important one; and therefore I quote it in full, with some of its annexed glosses:

*“Propter assiduam erga populum DEI curam, singulis plebibus archipresbyteros præesse volumus; qui non solum imperiti vulgi sollicitudinem gerant, verum etiam eorum presbyterorum, qui per minores titulos (ecclesias gl. Host.) habitant, vitam jugi circumspectione custodiant, et quâ unusquisque industriâ divinum opus exerceat, episcopo suo renuntient (quod solus*

*Decr. Greg. IX. L. I. T. XXIV. c. IV. Hostiensis in Comment. fol. CXIX. SS. CC. Tom. IX. col. 1070. & Tom. XI. col. 706. Canones Concilii Anonymi.*

*Jacob. Goar. Eucholog. p. 287. not. 25.*

(<sup>1</sup>) “Ὁ ΠΡΩΤΟΠΑΠΑΣ — qui et ΠΡΩΤΟΪΕΡΕΥΣ: archipresbyter est, et antiqui chorepiscopi, si non nominis saltem potestatis successor: nam et in insulis Venetorum Lectores instituit, et de rebus ecclesiasticis judicat. Ubi plures sacerdotes concelebrant, primas ipse tenet, et ἐκφωνήσεις profert: et tandem, ut loquitur Codinus cap. 1. πρῶτός ἐστι τοῦ βήματος, φέρων τὰ δευτερεῖα τοῦ ἀρχιερέως: unde et in vicis, episcopo absente, reliquis sacerdotibus semper præeminet, et in eos jus exercet.”

(<sup>2</sup>) “Archipresbyteri in vicis et oppidis interdum constituebantur, quippe qui successerant in locum chorepiscoporum.”

Bingham is not quite correct, when he says the power of the ancient chorepiscopi dwindled into that of the archdeacons. The latter succeeded to some additional authority on the abolition of chorepiscopacy; but the greater part of the power of villan bishops devolved on deans rural. See *O. E. B.* II. c. XXI. s. 10.

(<sup>3</sup>) See M. A. de Dominis *de Republicâ Ecclesiasticâ*, L. II. c. IX. p. 291.

*Valesii Annotationes Socrat. Hist. Eccl. L. VI. c. IX. Sæc. v. p. 323.*

*episcopus est iudex ordinarius in suâ dyocesi de jure communi, gl. Host.) Nec obtendat episcopus non egere plebem archipresbytero; quasi ipse eam gubernare valeat; quia etsi valde idoneus sit, decet tamen ut partiatur opera sua; et sicut ipse matriæ ecclesiæ (cathedrali, majori titulo, gl. Host.) præest, ita archipresbyteri præsent plebibus<sup>1</sup>, ut in nullo titubet ecclesiastica sollicitudo; cuncta tamen (subaudi) majora et dubitabilia, gl. Host.) referant ad episcopum, (præter minora quæ ipse determinare potest, cum habeat ordinariam jurisdictionem, gloss.) Nec aliquid contra ejus decretum ordinare præsumant: (subaudi etiam leve, cum enim archipresbyter et archidiaconus vicarii sunt episcopi, patet quod episcopus potest eos, nisi consuetudo obset contraria, quandocunque voluerit prohibere, vel eorum sententias revocare, gloss. Host.)”*

We here see granted to rural archipresbyters (in the first canon of the western church that gives them plenary institution, and clearly distinguishes them from the urban

Morin. de Sacris  
Ordin. P. iii.  
Exercit. iv.  
cap. vi. p. 57. iii.

(<sup>1</sup>) In accordance with which presidency over the *ecclesiæ baptismales* of the country, here denominated *plebes*, the earliest attestation of the country archpriest, which has come under my notice, gives him the title of archipresbyter de plebe. It is subscribed to a grant of Benedict, bishop of Adria, A.D. MLIV. — “*Petrus archipresbyter de plebe Sancti Cassiani firmavi.*”

Muratori Antiq.  
Med. Æv. Tom.  
vi. col. 364.

The cited Pavian canon being an important document, the reader will not deem the remarks of Muratori upon it irrelevant. “*Ex his habes,*” says this laborious compiler, “*ruri fuisse matrices sive primarias parochias, plebis appellatione distinctas, ubi baptismus celebrabatur; quibus qui præficiabantur, archipresbyteri consuevere vocari. Erant autem et aliæ minores parochiæ (minores tituli-capellæ) archipresbytero ita subjectæ, ut quoties de ibi collocando rectore sive presbytero ad confessiones audiendas, aliæque præter baptismum, aliæque peragenda, electio spectaret non solum ad episcopum, sed etiam ad archipresbyterum.*” After which, he quotes examples of the latter’s “*jus constituendi rectores in minoribus titulis.*”

col. 413.



officers) the whole of the chorepiscopal functions, save those alone of the highest grade (as collations to holy orders &c.); which the bishops resumed and retained in their own hands; inasmuch as these were incommunicable powers, and could not, canonically, be delegated to persons not of episcopal dignity. And so close was the approximation, and indistinct the line of demarcation between archpresbytership at its zenith, and chorepiscopacy at its decline, that the privileges of urban bishops were, at one time, as much infringed by the ambitious interference of their unmitred deans, as they had previously been by that of their mitred suffragans.

Even when the church had decreed, in more than one council, the entire abolition of chorepiscopé, and had, by the canon above cited, and many others, strictly defined the duties of their successors, (so that there should be no more confusion of privileges in the administration of spiritual affairs,) we find the rural archpriests, like their chorepiscopal predecessors, transgressing the boundary line within which conciliar law had placed them, and at an annual rent ("*sub annuo pretio*"—"pro certâ pecuniæ quantitate")—simoniacally purchasing of their diocesan bishops a sort of episcopal rank and judicial consequence: till at length, in the twelfth century, the councils of Tours (*A.D.* MCLXIII.), and of Rome (*A.D.* MCLXXIX.), viewing the practice, as, at once, a burden and disgrace to the church, and subversive of its discipline, inhibited it, on pain of deprivation<sup>1</sup>.

*Chronica Ger-  
vasii, Scriptor.  
x. col. 1447.*

*SS. CC. Tom.  
XIII. col. 304.  
can. VII. & col.  
425. can. XV.  
Decret. Gregor.  
IX. L. v. T. IV.*

(<sup>1</sup>) The origin of the abuse, and the interference of the papal see for its suspension, are thus recorded by Pierre Rouvière, in his *Histoire Monastérii S. Joannis Reomaensis in Tractu Lingonenfi*:—"Munus eorum, (scil. decanorum ruralium) etsi initio fuit, curare plebem agrestem, mino-  
rumque



This, however, was, confessedly, on the part of the bishops, an improper delegation of some of the higher powers of episcopacy to unlawful hands, at the price of a bribe; and, on the part of rural deans, an ambitious attempt to enlarge the exercise of their privileges under a certain *prestation* or payment, similar to that, perhaps, by which archdeacons, at one time, obtained an amplification of their powers.

But that archpriests, with their legitimate and usual capacities, were suitable successors of villan bishops in the west, may be inferred from the fact, that, in certain dioceses, the former are expressly stated to have been

*rumque titulorum presbyteros; tamen lapsu temporis eo processit, ut jurisdictione episcopali parte aliquâ augetur. Hic enim est, quod in hoc Tabulario Reomaensi alibique passim tam crebra reperiuntur decanorum de rebus ecclesiasticis judicia et arbitria, quæ superioribus sæculis non tam faciliè occurrunt. Eo verò progressu est aliquando eorum potestas, ut præter illa, quæ erant ordinis nihil non autoritatis episcopalis exercerent, conductâ annuo precio episcopi jurisdictione. Quæ res cum Alexandro III. visa esset non parùm periculosa, sordida, atque ecclesiæ onerosa, sic sanxit in Concilio Turonensi. ‘Quoniam in quibusdam partibus decani quidam vel archipresbyteri ad agendas vices episcoporum, seu archidiaconorum, et terminandas causas ecclesiasticas sub annuo precio statuiuntur, quod ad sacerdotum gravamen, et subversionem judiciorum non est dubium redundare, id ulterius fieri prohibemus. Quod si quis de cætero fecerit, removeatur à clero: episcopus autem, qui hoc sustinuerit, et ecclesiasticam jurisdictionem suâ patitur dissimulatione perverti, districtione canonica percellatur.’ Ita refert can. Quoniam. Ne prælati vices suas &c. Desiit, ut opinor, haud diu postea hæc corruptela, sed decanis sua nihilominus mansit jurisdictione, quam describit concilium Colonienſe. ‘Quosdam accepimus,’ inquit, ‘impedire decanos rurales quominus possint officia, et jurisdictionem suam exercere, synodos liberè celebrare, et excessus corrigere, qui et ipsi intelligant se excommunicationem à jure, et canonibus latam incurere.’”*

Ware's *Works*  
by Harris. Vol. I.  
p. 141.  
& O'Connor's  
*Rerum Hibern.*  
*Script. Feter.*  
Vol. I. *Prolego-*  
*mena*, CLVI.

CC. M. B. *et* II.  
Vol. I. p. 547.

substituted for the latter; as the *periodutae* were substituted for the *thorepiscopi* of the east. In Ireland, for instance, we learn, from the preamble to the *constitutions* of Simon de Rochfort or *de Rupe forti*, bishop of Meath (*A.D.* MCCXVI.), that the legate John Paparo, cardinal of St. Laurence in Damaso, and legate from Pope Eugene III. to the Irish, ordained, in a general synod, held (*A.D.* MCLII.), in the abbey of Mellifont, or, as some say, at Kells or Kenanuse in Meath,—“*inter alias salubres constitutiones, tunc et ibidem factas, ut decedentibus thorepiscopis, et exiliorum sedium episcopis in Hiberniâ, in eorum locum eligerentur, et succederent archipresbyteri à diocesanis constituendi, qui cleri et plebis sollicitudinem gerant infra suos limites, et ut<sup>1</sup> eorum sedes in totidem capita decanatum ruralium erigerentur &c.*” After which follows a copious list of canons regulative of the transmuted office,—all of them of a visitatorial and inspec-

*Account of Ire-*  
*land*, Vol. II.  
c. XXV. pp. 455,  
seqq.

Ledwich's *Antiq.*  
pp. 82, 83.

(<sup>1</sup>) From this, remarks Wakefield, we are enabled to form a pretty correct idea of the state of the ancient Irish hierarchy. Ireland was full of *thorepiscopi*, *billage* or rural bishops. In Meath there were, Clonard, Duleek, Kells, Trim, Ardbraccan, Dunshaghlin, Slane, Foure, Skrine, Mullingar, Loughseedy, Athunry, Ardnurchor, and Ballyloughort. In Dublin were, Swords, Lusk, Finglas, Newcastle, Tawney, Salmon-Leap or Leixlip, Bray, Wicklow, Arklow, Ballymore, Clondalkin, Tallaght, and O'Murthy; which included the rural deaneries of Castledermot and Athy. These were all rural deaneries; and, of course, rural sees, before the year MCLII. “If the number of rural deaneries,” says Ledwich, “at their first erection, and afterwards, in consequence of Paparo's regulation, could be discovered, from records in the Vatican, or elsewhere, it would give us the number of rural sees. The rural deaneries, in the common, are not correct, else I might easily have adduced them. Our bishops, I suppose, might have amounted to above three hundred.” See also the Rev. W. H. Hale's *Essay on Tithes*, Part II. p. 53. & notes 1, 2, 3.

tional character, in order to the reformation of the church and clergy.

See Appendix,  
Ireland.

And in the same country, according to Sir Henry Spelman, the title by which the dean rural was known, viz. *corba*, was derived, by a barbarous contraction, from *chorepiscopus*:—" *Corba eminentioris loci fuit atque idem qui decanus ruralis, plebanus, archipresbyter, seu chorepiscopus: à quo et nomen (barbarâ contractione) videtur sortitus. Hibernici enim (litteras b et p confundentes) eundem Corpach et Corbach vocant. Cori pro chor, pach, et bach, pro pife et bife pronunciantes*<sup>1</sup>."

Gloss. Archæol.  
in voce, p. 151.

(<sup>1</sup>) See Ware's *Antiquities of Ireland* by Harris, Vol. II. chap. XXXV., of the *Corbes* or *Corbanes*, *Erenachs* or *Herenachs*, &c. "The *commorban* or *corbe* is supposed by Usher" (in a treatise written on the subject in MDCIX.) "to be the same with *chorepiscopus* or *archipresbyter*, was of a higher dignity than the *herenach*, canonically ordained priest, and stated in the mother-church. He had also the first stall in his own church, and an empty stall in the cathedral. The *commorban* is called in the scholar's certificate given by Sir John Davis, *plebanus, quia plebi ecclesiasticæ præest*, having the superintendence over the rest of the body; and so he is called in the said grand inquisition under the county of Cavan, where it is said also, that the *plebanus* or *corbe* is the head of a larger sept than the *herenach*, and sometimes of several septs, and hath sometimes several *herenachs* subject to him; but that the *herenach* was head of a smaller sept, which only was subject to him. The *herenach* was admitted only to the first tonsure, and never to the priesthood. Both *corbe* and *herenach* were anciently married men, till celibacy was enjoined the clergy; and we find their sons succeeding to their offices; and the lay-abbot in Wales was under the same circumstances. They were subject likewise to the bishop's visitations, to whom they gave a subsidy at their entrance, and were chargeable with proxies and refections, and, like others of the clergy, were liable to sequestration for cause; of which there is a precedent in the archbishop of Dublin's registry, as to the *corbe*, in the government of Archbishop Walton, in MCCCCLXXIII."—pp. 235-6.—See the Rev. W. H. Hale's *Appendix to his Essay on Tithes*,

Archbishops of  
Armagh, p. 101.  
Vol. I. Works.

See Cod. MSS.  
Cæciv, p. 96.  
(600—608.)  
MSS. Lambeth.

Molan. *de Canoniciis*, L. II.  
c. XXXII. p. 264.

Macri *Hiero-  
Lexic. in voce*,  
p. 147.

Morifani *de  
Protopapâ Dia-  
triba*, cap. VII.  
pp. 112, 113.  
Waddington's  
*Greek Church*,  
pp. 10, 11.

In the church of St. Martin at Utrecht, according to Molanus, the first of the subdeacons, or the archisub-deacon, has the title of *chorëpiscopos*, and exercises the office of archipresbyter or dean rural; being not "*chori decanus*," but "*decanus ruralis,—seu primus inter decanos rurales, quem Leodii decanum decanorum vocant.*" And to the same root may be traced the *churí* or *churoso* of the eastern Maronites—the name by which the archipresbyter or *local parochus*, according to Dominic Macer, is distinguished; to whom the bishop, at the time of institution, gives the pastoral staff of office.

But this *churí* or *churoso*, as he is called in the language of the people of that country, is rather to be considered an urban ecclesiastic, on the authority of the last synod of Libanus, quoted by Morifan in his *Diatriba de Protopapâ*, than as connected with the villages.

The Maronites (who are chiefly inhabitants of Mount Libanus), when they retained the *chorëpiscopí* in their towns and villages, established *periodeutac* under them,

Part II., containing an extract from Usher's unpublished treatise on the Herenach, Termon, and Corban lands, in the Lambeth Library. Upon these officers, *see also* T. D. Whitaker's *History of Whalley*, Book II. chap. I. p. 42. "With what exactness," says he, after having described the peculiarities of the Irish functionaries, "do the several characters of these kindred offices in the church of Ireland apply to the dean of Whalley! For, like the herenach, he had *honorem villæ*; like the *plebanus*, he had patronage and jurisdiction over several dependent churches, together with a vicar and chaplain of his own; and like the *corban*, his function was hereditary, tenable also by persons in inferior orders, and compatible with the married state." It does not appear, that this anomalous personage was a rural dean.—In his person were united the rights of patron, incumbent, ordinary, and lord of the manor. But it has not been found, that he ever had a seal of office.

but had no protopopes as plebium curiones, such not being required in addition to the rural circumcursators. Protopopes obtained only in the episcopal city—and there, one only, who was the bishop's vicar. “*In ecclesiâ orientali*,” says the synod of Libanus, “*episcopus in urbe habet vicarium, qui protopapa, protopresbyter, archipresbyter, et à nobis churi appellatur: in singulis vicis, et pagis chorepiscopos constituit: periodicitas autem, seu circumcursatores, atque visitatores ordinat, quorum cura est, vicos omnes, et pagos circumobire, et cunctos ad recte vitæ, sanctæque doctrinæ normam efformare. Horum autem dignitas perpetua est, quia per manus impositionem traditur, tametsi propter delictum suspendi possint ab officio, et amoveri.*” The rarity of Morisani's *Diatribæ on Greek* protopopes in this country will, I trust, defend my introduction of a few more particulars respecting these Syro-Maronite ecclesiastics at the conclusion of this division of my labours. I scarce know where else to admit them, and they are far too curious to be entirely passed over.

In the presence of the urban bishop, neither the protopope nor the rural bishop, nor the circumcursator, exercise their functions:—their usual ensigns of office are laid aside:—they neither bear the cross in their hand, nor the mitre on their head, unless expressly licensed so to do by the diocesan. But, in the absence of the latter, the protopope in the cathedral, and the chorepiscopus in the country, on solemn days and festivals, occupy the first place in the choir, and wear the mitre—leaving the higher seat of the bishop unoccupied. When all these oriental sub-dignitaries are convened before their superior prelate, the archpriest or protopope of the city has the precedence of the chorepiscopus, and the latter ranks



Morfan. *de*  
*Pretepapist*,  
p. 114.

above the *periodeuta*. Again, as to the ecclesiastical ornaments alluded to—the *protopope* is the bearer of two crosses, a mitre, and a pastoral staff:—the *periodeuta* is not entitled to a mitre, but only to a cross, and a shepherd's crook, in token of the commission, with which he is invested, of superintending the diocesan flock,—for he is a diocesan officer. The insignia of the *chorepiscopus* are the same as those of the *archpresbyter* of the cathedral. See the Russian documents of the Appendix; and Dr. Brett on *Bishops Suffragan*, c. xii. pp. 230, seqq. on the *chorepiscopi* of Alexandria, Bohemia, &c.

*Anglia Sacra*,  
Vol. i. p. 64.  
Dr. Fiddes's  
*Collect. to Life*  
of *Wolsey*, p. 91.

From Mr. Wharton, it appears that our *chorepiscopi* or *suffragans* of the west were allowed the *baculus pastoralis*; and Mr. Anstis is of opinion, that they wore mitres with a slit in the front, in order to distinguish them from the superior prelates. See the seal of the Suffragan Bishop of Philadelphia below engraven. It is probably the



only seal of a bishop *in partibus infidelium* now remaining; and if so, a curiosity of no small regard<sup>1</sup>.

Pegge in *Archæol.* Vol. VII.  
p. 362. XXXVIII.

(<sup>1</sup>) The seal is engraven for the sake of exhibiting the insignia of office of the Anglican *chorepiscopus*. It presents to our view the effigy of Bishop Swillington *in pontificalibus*, standing in a tabernacle, with a heart in his right hand, and a cross in his left. The coat underneath the figure is, a fesse charged with three pellets between three tons, and the inscription runs S. DOMINI . TOME . EPISC . PHILADELPHIENSIS.

Thomas Swillington, Pegge tells us, was prebendary of Stow in Lindsey, in the church of Lincoln, and appointed suffragan to John Longland, bishop of that see, with the title of *Philadelphia*, July 15, MDXXXIII. The exercise of his episcopal function was confined to the two archdeaconries of Lincoln and Leicester.

## SECTION II.

THE ORIGIN OF **Deans Rural** IN ENGLAND.—INSTITUTION OF  
PARISHES AND PAROCHIAL CLERGY.



**B**EFORE the division of parishes, the endowment of parochial churches, and incardination of presbyters in country cures, it were vain, of course, to look for **deans rural** in England<sup>1</sup>. A few remarks, therefore, on these preliminary measures, will neither be uninteresting, nor irrelevant. They will aid us in our investigation of the specific subject of the present section—the origin of the **decanal** office in our own island.

Bevergii Cod.  
Can. Eccl. Prim.  
L. II. c. v. p. 218.

Theodoret.  
Epist. III.  
Routh Script.  
Eccl. Opusc.  
Tom. II. p. 467.

(<sup>1</sup>) “*Ἡ παροιμία παρῶν in antiquis ecclesiæ scriptoribus et canonibus conciliorum, territorium, sedem, sive ditionem ad episcopum pertinentem perpetuò significat: quo sensu hodiè vox diœcesis à nobis vulgò usurpatur, adeò ut unusquisque episcopus suam haberet παροιμίαν, quam episcopali auctoritate gubernabat.* But, subsequently, it came to signify a *parish*, as at present understood; in which sense it is used by Theodoret, in his epistle to Leo M. and in the seventeenth canon of the œcumenic council of Chalcedon. See P. de Marca de C. S. et I. Lib. II. c. XIII. 3.—Bilson’s *Perpetuall Gouvernement of Christs Church*, chap. II. p. 184. Edit. MDXCIII, and Slater’s *Answer* to Lord Chancellor King’s *Enquiry*, &c. pp. 31, seqq. (which, by the way, so far satisfied his lordship, that he gave the author some preferment; though the dissenters continue to quote his lordship’s *Primitive Christianity* as if it had never been abundantly refuted, even to the conviction of its noble author)—also see Burton’s *Ecclef. Lectures*, XII. p. 359.

The *παροικία* was here, at first, as elsewhere, the *διοίκησις* (*vide* Suicer. *T. E.* in *v. διοίκησις. v.*)—the whole episcopal district—in which the bishop and his clergy lived together at the cathedral<sup>1</sup> or mother-church (so called, says Panormitan, “*quia sicut mater generat, ita et ecclesia baptismalis regenerat,*” Tom. II. p. 73), and performed in one spot the public offices of religion to the congregated worshippers of a whole diocese; or supplied the few widely-scattered chapels, field-churches, or oratories, in the more remote parts of the country, with spiritual instruction and consolation, by the instrumentality of itinerant priests; who themselves, here and there, erected such local houses of prayer, out of the means supplied by the liberality of bishops and contributions of converts; while the munificence of pious kings and princes, in places of the greatest resort, gave being to cathedrals or diocesan temples.

Churches were, doubtless, erected here, soon after the first preaching of the Gospel<sup>2</sup>—probably in the first

Downname's  
*Consecration*  
*Sermon*, p. 25. &  
*Defence*, B. II.  
c. I. p. 8.  
Kennett's *Case*  
*of Impropriations*, sub initio.  
Stillingfleet's  
*Ecc. Cases*,  
*Works*, Vol. III.  
p. 649.  
Cawdrey of *Pa-*  
*tronage*, pp. 18,  
seqq.  
Burnet's *Pajio-*  
*ral Care*, c. X.  
Southey's *Hist.*  
*of the Church*,  
Vol. I. c. VI.  
pp. 79, seqq.

Selden's *History*  
*of Tythes*, c. 9. I.  
p. 250.

*The Description*  
*of England*, B II.  
c. I. p. 135.

(<sup>1</sup>) “These churches are called cathedrall,” says Holinshed, “because the bishops dwell or lie neere unto the same, as bound to keepe continually residence within their jurisdictions, for the better oversight and governance of the same: the word being derived à *cathedrâ*, that is to saie a chaire or seat where he resteth, and for the most part abideth. At the first, there was but one church in everie jurisdiction, wherinto no man entred to praie, but with some oblation or other toward the maintenance of the pastor: for as it was reputed an infamie to passe by any without visitation: so it was a no lesse reproch to appeare emptie before the Lord. And for this occasion, also, they were builded verie huge and great, for otherwise they were not capable of such multitudes as came dailie unto them, to heare the word, and receive the sacraments.”

(<sup>2</sup>) To what particular apostle Britain is more immediately beholden for its acquaintance with the truths of Christianity, it is said to be difficult

Collier's *Ecclef.*  
*Hist. of Gt. Bri-*  
*tain*, B. I. Cent.  
I. pp. 3. 6, seqq.

century:—for, though the earliest teachers may have congregated their auditors at crosses in the open air; it is inconceivable, how Christianity could be long and extensively received amongst the people, in such a climate as ours, without churches<sup>1</sup>, or, at least, some convenient houses, or other places in the nature of churches, appointed for the exercise of devotion. And we know, on incontrovertible evidence, that, in the second century, Britain had generally received the Gospel—the “*Britannorum inaccessa Romanis loca*” were, in Tertullian’s words, “*Christo subdita*.” Nor less certain is the infi-

Tertullian, *adversus Judæos*, v. 212.

Eusebii *Demonstr. Evangel.* III. p. 112. Edit. Colon.

difficult to determine. But the evidence which proves that a Christian church was planted here by some of the apostles, and most probably by the great apostle of the Gentiles, is assuredly entitled to grave consideration. The reader, who may be desirous of pursuing the subject (too extensive to be here incidentally discussed), will find all he can require to establish St. Paul’s claim, in Bishop Stillingfleet’s *Origines Britannicæ*, chap. i. pp. 35, seqq.; Bishop Burges’s very learned “*Tracts on the Origin and Independence of the Ancient British Church*,” (2d Edit. London, MDCCCXV); “*Remarks on the Western Travels of St. Paul*,” (London, MDCCCXX); “*A Charge to the Clergy of Sarum*” (MDCCCXXIX), pp. 11, seqq. and *Second Charge*, pp. 53, seqq.

*Lectures on Eccl. History*, Lect. XXIII. p. 279.

(<sup>1</sup>) Professor Burton says, there is no evidence of Christians assembling in what would now be called a church, before the third century. The charge of having neither altars, images, nor temples, was brought against them as late as the *beginning* of the third century. Still I think they must have had buildings of some kind or other for their religious worship in Britain before this date. Bede, speaking almost in the very words of Gildas (*de excid. Britan.*), says the British Christians *restored their churches* after the Dioclesian persecution. So that they must have existed before that event. See Brett’s *Account of Church Government* &c. p. 169. 2d Edit. on the subject: also Suicer *T.E.* in voce *ναός*, in favour of Burton’s view, and Mede’s *Discourse of Churches*, and Bingham’s *O. E. B.* VIII. c. i. s. 13. against it. Mede quotes a very remarkable passage from St. Chrysostom on British Churches and Altars. *Works*, B. II. p. 386.



tution of bishops<sup>1</sup>, priests, and deacons, among us;—whereby the form of church-government was complete, and, spiritually speaking, the British church fully established.

Strong, however, and uninterrupted as is the evidence of a visible church<sup>2</sup> in these realms, through, what is

(<sup>1</sup>) The council of Arles in France (A.D. cccxiv.) was attended by three British bishops (probably the three metropolitans of York, London, and Caerleon?), by one presbyter, and one deacon:—all of whom subscribed, or rather prefixed their names. “*Unde simul constat,*” says Bishop Beveridge, “*non episcopos tantum, sed presbyteros et diaconos istis diebus hic constitutos esse, ac proinde perfectam etiam ecclesiam, toto ecclesiasticarum personarum numero absolutam.*” (*Vide plura in loco.*)

The *civitates* of Britain, at the time alluded to, were thirty-three; of which thirty were in England and Wales: and Mr. Turner thinks that the ecclesiastical concerns of each *civitas* were regulated by a diocesan bishop; over whom was a superior bishop in each province, answerable to our metropolitans, though not distinguished with the title of archbishops. See Wharton *de Episcopis Londinensibus*, pp. 4, 5. and Whitaker's *History of Manchester*, Vol. I. B. I. c. xi. pp. 402, seqq.

(<sup>2</sup>) The light of the Gospel having been introduced into Britain, was never afterwards extinguished. When driven from the interior provinces by the devastating sword of the pagan Saxon, the British church withdrew with its hierarchy into the fastnesses of Wales and Cornwall; and was there existing as an apostolical, independent church, (“*αὐτοκέφαλος,*” says Bishop Beveridge, “*nulli extraneo episcopo, sed suo soli metropolitano subjacens,*”) when Augustine arrived in the Isle of Thanet (A.D. dxcvi).—Nay more—preserving its integrity for a century and a half and beyond, after the monk had commenced, with his forty coadjutors, the labours of re-converting the then heathenized inhabitants of the interior of the island. See the bishop of St. Asaph's admirable annotations on the sixth Nicene canon; Borlase's *State of Christianity in Cornwall*, § III. p. 340. *Antiq. of Cornwall*; Cave's *Dissertation concerning the Government of the Ancient Church*, c. v. pp. 248, seqq., and Soames's *Bampton Lectures*, p. 453.

The evidence of each successive age most clearly proves, as Bishop Burgess

Lloyd's *Church Government of Great Britain*, c. III. p. 71, seqq.

Lloyd's *Church Government*, c. III. p. 72.  
Cave's *Church Government*, c. v. p. 245.  
Annot. in *Can. Conc. Nicæn. I. Synod.* Tom. II. p. 78.  
Routh's *Reliq. Sacre*, Vol. IV. pp. 94-5.  
*History of the Anglo-Saxons*, Vol. I. B. I. c. VIII. pp. 83, seqq.

Matth. Westimons. *ad ann.* 586.

*Annotationes ad Can. Conc. Nicæn. Primi*, p. 58.  
Bedæ *E. H. G. A.* L. I. cap. XXV. L. v. cap. XXIV.

called, the British period of our ecclesiastic history, viz. the first six hundred years after Christ—there is no trace

Burgefs has long since shewn in his profound and accurate researches on the subject, that Christianity was *at no period extirpated* from Britain. See Pagitt's *Christianographie*, P. III. pp. 6, seqq.; *The Continuance of Christianity in Britaine*; and Roberts's *Appendix*, N<sup>o</sup>. VI. *History of the Ancient British Church*; and Bishop Burgefs's *Tracts* before quoted, pp. 96. 125, seqq.

In the first century we have the preaching of the Gospel in Britain by the great apostle of the Gentiles—Παῦλος—κῆρυξ γειόμενος ἐν τε τῇ ἀνατολῇ καὶ ἐν τῇ ΔΥΣΕΙ—δικαιοσύνην διδάξας ὅλον τὸν κόσμον, καὶ Εἰς τὸ ΤΕΡΜΑ ΤΗΣ ΔΥΣΕΩΣ ΕΛΘΩΝ—κ. τ. λ.

In the second—the public avowal and protection of Christianity by Lucius, a British prince—"the first Christian king in the world"—(A.D. CLXVI.—CLXXVI.)—"called by the Britons *Lechr Maur*, The Great Brightness." By whose means, undoubtedly, the Christian church in our isle (Stillingfleet's *Origines Britannicæ*, chap. II. p. 62.) was cherished and advanced, though not originally founded. For we cannot award him the plenary praise of Michael Drayton's muse, as—

" . . . . . That good king, to whom we chiefly owe  
This happiness we have, Christ crucified to know."

See Stevenson's *Supplement to Bentham's Ely*, Remarks, pp. 145, seqq. "King Lucius." Hales's *Primitive Church of the British Isles*, pp. 106, seqq., and Roberts's *Chronicle of the Kings of Britain*, B. III. pp. 90, 91. and notes.

In the third and fourth, the Dioclesian persecution—"omnibus fere anteactis diuturnior atque immanior"—in which St. Alban, our proto-martyr, and Aaron and Julius, "*legionum urbis cives*," and many others, fell.

In the fourth, the presence of a deputation of British bishops at the councils of Arles (A.D. CCCIV.) Sardica (A.D. CCCXLVII.), and Ariminum (A.D. CCCLIX.)—"the most avouchable evidence," in Fuller's words, "of Christianity flourishing in this island in this age"—

"—When the primer church her councils pleas'd to call,  
Great Britain's bishops there were not the least of all,  
Against the Arian sect at Arles having room,  
At Sardica again and at Ariminum."

Clemens Roman, *ad Cor.*  
p. 8.

Bedæ *H.E.G.A.*  
L. I. c. IV.  
Carte's *General Hist. of England*, Vol. I.  
B. II. VIII.  
Cave's *Church Government*,  
c. v. p. 245.

Drayton's *Polyolbion*, Song 8.  
p. 273.

Selden's *notes*,  
p. 277.

Bedæ *H.E.G.A.*  
L. I. capp. VI. VII.  
Henr. Huntingdon. *Hiji* L. I.  
p. 305.

Bingham's *Ecclef. Antiq.* B. IX.  
capp. VI. VII.  
*Church History*,  
Cent. IV. B. I.  
p. 24.

Drayton's *Polyolbion*, Song 8.  
p. 247.

of a parochial clergy in the modern acceptation of the term:—nay more—for two centuries, or nearly so, after the landing of Augustine and his companions in the Isle of Thanet (*A.D.* dxcvi.), we are told by a high authority

Bishop of Lincoln's (*Wake*) *Visitacion Charge*, MDCCIX. p. 26.

In the fifth, the synod of Verulam (against Pelagianism; which, at that time, in Bede's language, "*fidem Britannorum fædâ peste commaculaverat*")—where were present, in addition to the British prelacy, Germanus bishop of Auxerre, and Lupus bishop of Troyes—"Apostolici patres,"—"qui ad confirmandam fidem gratiæ cælestis Britannias venerunt." See Smith's *notæ ad Bedam*, p. 54; Carte's *General History of England*, Vol. i. B. III. III. pp. 182, seqq., and Dr. Hale's *Primitive Church of the British Isles*, p. 131.

Bedæ *E.H.G.A.* L. I. c. XVII. CC. M. B. et H. Vol. I. p. I. ac. 446. p. 2. ac. 449. Prosper Aquitan. *De Ingratis*. Poetæ Christian. p. 663.

In the same century—a second synod, three years afterwards, against the same heresy, at which attended Germanus again, and Severus bishop of Triers, a disciple of Lupus. When, likewise, the incestuous marriage of King Vortigern with his own daughter was condemned by the bishop of Auxerre and the whole British clergy in council assembled.

Bedæ *E.H.G.A.* L. I. c. XXI. Nennii *Hij.* c. 38. Wilkins's *not. ad Concil. Britan.* ac. 449.

In the same century—two or more Irish synods recorded by Wilkins: and others again, which the industry of Sir W. Betham has lately brought to light, held about the year ccccl. (*Irish Antiquarian Researches*.)

Grier's *Epitome of the Councils*, pp. 83, 84.

In the sixth, the celebrated synod of Menevia—a general convention of all the bishops and clergy on account of the Pelagian controversy, at Llanddewi Brefi, under Archbishop David; who removed the metropolitan church from Caerleon to Mynyw—"ab urbe legionum ad suam Meneviam"—("since, holy David's Seat"—Drayton) St. David's. See Bale and Wilkins in *CC. M. B. et H.* Vol. i. p. 8, note; Stillington's *Origines*, c. v. p. 348; Rapin's *England*, Vol. i. B. II. p. 43; and Carte's *England*, B. III. III. p. 186. Tyrrell's *General History of England*, Vol. i. B. III. p. 149; and Hoare's *Giraldus Cambrensis*, Vol. II. B. II. c. I. and *Annotations* by Sir R. C. H.; also Nelson's *Life of Bull*, p. 350. Oxon.

CC. M. B. et H. Vol. I. p. 8. ac. 519.

*Polyolbion*, Song 5. p. 263. & Selden's *Illustrations*.

In the same—the synod of Victoria, also in Wales, for the confirmation of the acts of the preceding synod of Menevia. (*Ex Giraldo Cambrensi de Vita S. David.* lect. 9.)

In the seventh, the meeting of the bishops or doctors of the Britons with Augustine at Augustinaes-ac; and at a second fuller synod, when the British bishops (*septem Britonum episcopi, et plures viri doctissimi maxime de nobilissimo eorum monasterio, quod vocatur linguâ Anglorum*

Collier's *Eccles. Hist. of Gt. Britain*, B. I. Cent. VI. p. 56. & Stillington's *Origines*, c. v. p. 350-1. Bedæ *E.H.G.A.* L. II. cap. II. CC. M. B. et H. Vol. I. p. 21. See note ex Spelman. *ibid.*

Baucor-

in these matters, Archbishop Wake, “there were no such things as either parish-churches, properly so called, or

Stillingfleet's  
*Origines*, c. v.  
pp. 356, seqq.  
Bingham's *O. E.*  
B. II. c. XVIII.

*Bancornaburg, cui tempore illo Dinooth abbas præfuisse narratur*) delivered their ever-memorable protest against the Pope's authority, and all communion with the church of Rome:—when “the rude schismatics, in the form of the clerical tonsure, and in the day of the celebration of Easter, obstinately resisted the imperious mandates of the Roman pontiffs.” So writes the infidel Gibbon.—We care little for the sarcasm intended to be conveyed; while the fact itself is so fully acknowledged. (*D. & F. V. III. p. 624.*) See the abbot of Bangor's answer, refusing subjection to Austin and the Pope, in Wilkins, *CC. M. B. et H. Vol. I. pp. 26, 27*; Carte's *England*, Vol. I. B. III. XIII. p. 224; Rapin's *England*, Vol. I. B. III. p. 68; Tyrell's *England*, Vol. I. B. IV. pp. 160, seqq.; and *The Chronicle of the Kings of Britain*, pp. 175, seqq., and Roberts's notes. Upon which answer, Nathaniel Bacon remarks—“This was the Britons' resolution, and they were as good as their word; for they maintained the liberty of their church *five hundred years* after this time; and were *the last* of all the churches of Europe that gave their power to the Roman beast; and in the person of Henry the Eighth, that came of that blood by Teuther, *the first* that took away that power again.”

*Historical & Po-  
litical Discourse*  
&c. Part I. c. V.  
p. 13.

*Ancient & Pre-  
scent Church of*  
*England*, Vol. I.  
p. 4.

But, Mr. Johnson says, soon after Bede finished his Ecclesiastical History (*A.D. DCCXXXI.*), “the Welsh as well as English became entirely Romanists;”—while others, with more truth, have held, that there is evidence of the British church having maintained its independence of the see of Rome as late as the year DCCCCIV. (*See Collier's Church History*, B. III. p. 171), and even till the conquest of Wales by Henry I. See Archdeacon Goddard's second *Visitation Charge* to the clergy of Lincoln, MCCCXX. p. 27, note, and again note p. 82. “Notwithstanding an insulated fact or two which mark communications with Rome, and even deference to it,” says the archdeacon, “though not subjection, the British church may be said to have subsisted throughout the Saxon times in the remote parts of the island, nor was it finally merged in the church of England till the conquest of Wales under Henry the First.” See Bishop Burge's note on *British Ordination, Tracts on the Origin of the British Church*, Appendix, p. 318. “In Ireland,” writes Mr. Roberts, “it continued to the reign of Henry II.” *Appendix, No. VI.*

*Hist. of Ancient*  
*Brit. Church*,  
p. 323.



fettled priests to officiate in them." But this is rather assumed as probable than proved as certain. The state of the case I believe to be this:—The historical documents are few that have come down to us, bearing upon the polity of the ancient British church; and those few give us no reason to suppose that the practice of this island, in respect of its then imperfect church-economy, differed from what was uniformly received through those parts of Christendom of which we have the best testimony remaining:—in all of which, a system of collegiate union and missionary instruction seems uniformly to have preceded the appropriation of presbyters to particular cures—in accordance with which the bishop and his *clerus* continued to live together at the cathedral, and to perform the ordinances of religion there and abroad, as occasion required; until such time as the ecclesiastical economy of the diocese was matured for clerical residence on endowed country cures. <sup>1</sup>The latter point, the British church, as distinguished from the Anglo-Saxon, is supposed by Selden, Wharton, Inett, Wake, and others, never to have attained. At least, no evidence of the fact, worthy of credit, has descended to our times; and, in the absence of such, the general custom of Christendom is applied to the British church; which is concluded never to have had an incardinated parochial ministry.

Selden's *Hist. of Tythes*, c. 9. 1.  
p. 249.

Wharton's *Defence of Pluralities*, pp. 51, seqq.  
pp. 71, seqq.  
Dr. Field of *The Church*, B. v.  
p. 740.

(<sup>1</sup>) The story of the *parish-priest* of Cumpton, i.e. Long-Cumpton in Warwickshire, waiting on Augustine on his way to the conference of the British bishops in the remoter parts of Mercia, and complaining of the non-payment of tithes by the lord of the manor, is rejected, with its miraculous accompaniment, as an absurd legend:—indeed, were it, in all its circumstances, true, Bishop Kennett remarks, it would carry back *parochial incumbency* to a very early date.

*Parochial Antiquities*, Vol. I.  
p. 35.



Still, *auxiliary* churches, or *villican* chapels of ease to cathedrals or mother-churches, were erected by the British bishops and missionary clergy, out of the contributions of the faithful, in different parts of the country, remote from the episcopal sees. Of the fact of such erections no doubt exists. They are, again and again, noticed in Bede and other writers, as well as the parent edifices. They are mentioned also in those most authentic records of contemporary matters of church-history, the synods of the day, in the tomes of the councils of Great Britain and Ireland. To particularize seems scarce necessary. Let it satisfy the reader, that ages before the Gregorian missionaries and their Saxon converts began, "*convenire, psallere, orare, missas facere, prædicare, et baptizare*," in the much-vaunted church of St. Martin by Canterbury, the native Britons had erected that edifice—" *ecclesia in honorem Sancti Martini antiquitus facta*," says Bede, "*dum adhuc Romani Britanniam incolerent*:" and there the Christian Bertha, Queen of Kent, had been wont to pray with her chaplain, Bishop Luidhard, and a Christian congregation. Ages before the Romanists obtained their licence "*ecclesias fabricandi vel restaurandi*" on British soil, the aboriginal "*fideles Christi*" had constructed places of worship<sup>1</sup> in various parts of the island; and,

Bede *H.E.G.A.*  
I. I. c. XXVI.

Stevenson's  
*Supplement to*  
*Bentham's Ely*;  
*Notes*, pp. 11, 12.

Kennett's *Cafe*  
*of Impropr-*  
*tations*, p. 5.  
Whitaker's *Hiji.*  
*of Manchester*,  
V. II. B. II. c. XI.  
§ III. pp. 440.  
446.

(<sup>1</sup>) Many churches and parishes still retain the names of British saints; not only in Wales and Cornwall (where we should expect to find them), but in the bowels of England, and in Huntingdonshire more, perhaps, than in any other midland county. The churches of Evesham, Avalon (Stillingfleet's *Origines B.* c. I. p. 26), Manchester (St. Michael's), Dover Castle, and other places, are supposed to have been of British origin, equally with St. Martin's by Canterbury. See Stillingfleet's *Ecclesiastical Cafes*, Vol. I. pp. 125, seqq., and an interesting account of the Anglo

Roman

when the Diocletian<sup>1</sup> “*turbo persecutionis*,” which had razed them to the ground, had blown over, the same *indigenæ* had again restored them—“*progressi in publicum fideles Christi, qui se tempore discriminis sylvis ac desertis abditifre speluncis occultaverant, renovant ecclesias ad solum usque destructas, basilicas sanctorum martyrum fundant, construunt, perficiunt, &c.*”

In those early days, any pious priest, who designed to instruct the country people, Mr. Wharton thinks, might, with the approbation and licence of the bishop, build to himself a church—“a plain and humble conveniency of divine worship”—and therein, after consecration duly performed, might teach as many of “the neighbouring rustics” as chose to attend upon him.

To such non-parochial foundations, the twenty-third canon of the Irish episcopal synod (A.D. cccclvi.), seems to refer—“*Si quis presbyterorum ecclesiam ædificaverit, non offerat, antequàm adducat suum pontificem, ut eam consecret, quia sic decet*,” (c. 23), &c. And such were those of Dubritius, in South Wales (A.D. cccxc.); whose primitive church-establishment, recorded in an anonymous MS.<sup>2</sup> of the Cottonian Library (since printed in

*A Defence of Pluralities*, p. 66.

*Synod. S. Patric, &c. CC. M. B. et H. Vol. I. p. 3.*

Roman Church of Brixworth in Northamptonshire, in the *British Magazine*, Supplement Dec. mccccxxiii. pp. 746, seqq.; also see Hart's *Medulla Conciliorum*, cap. v. pp. 38, seqq., a valuable synopsis, highly creditable to its compiler.

(<sup>1</sup>) Though Constantius, the Roman governor of Britain at that time, had an inclination to favour the Christians, yet it was not in his power to dispense with the Imperial edicts, and he complied so far with them as to demolish the churches.

*Lactant. de Mort. Persec. c. 15.*

(<sup>2</sup>) This ancient author *de Fundatione Ecclesiæ Landavensis* (who wrote *circa* A.D. mxx, as Wharton thinks) has been misunderstood. Far from proving the division of dioceses into parishes, and affixing certain

*Defence of Pluralities*, p. 67.

Chap. 9. 1.  
pp. 249, seqq.

the *Monast. Anglican.* Tom. III. p. 188), is cited by Selden, in his *Hijlory of Tythes*—"Videns sanctus Dubritius largifluam potentum manum erga sibi commissam ecclesiam, paritatus est discipulos, mittens quosdam discipulorum suorum per ecclesias sibi datas; et quasdam fundavit ecclesias; et episcopos per dextralem Britanniam coadjutores sibi, ordinatis parochiis suis, consecravat."

Bedaë *E.H.G.A.*  
L. V. c. IV. e. v.  
& Smith's *notæ*.

These churches of the Irish and Welsh archbishops, like the earliest of the Anglo-Saxon foundations of after-date, (witness that noted by Bede "*in villâ comitis cujusdam qui vocabatur Puch*," who invited the bishop of Hexham to consecrate it; and a second "*comitis vocabulo Addi*," consecrated by the same prelate—since called South and North Burton) *circiter A.D. dcc*, had some kind of limits of adjoining villages or towns, and so were in that respect *parochial*: but the *parochiæ* were limited only in regard of the ministering presbytery, and the several functions of the bishop's chaplains—"episcopi clerus"—sent, as occasion required, from the cathedral

*Defence of Pluralities*, p. 69.

Spelman. *Concil. Angl.* Tom. I.  
p. 409.  
Collier's *Ecel. Hijl.* B. III.  
p. 178.  
*Ejusd.* p. 413.

priests to them, the *MS.* only shews that the province of South Wales (*Dextralis Britannia*) was then divided into several dioceses, and bishops ordained in every one of them: the term *parochia* being the ancient ecclesiastical name of a diocese. As for the supply of country churches, this testimony seems rather to imply, that it was performed by *itinerant* priests, whom Dubritius sent in their turns out of his own college. However, afterwards, when the Britons were driven into Wales, and were fully settled in it, that country being become populous thereby, they found it necessary to divide it into parishes, and to assign priests to them. For in the laws of Howel Dha, king of Wales, made about the year *DCCCCXL*, there is mention made of the house of the parish priest, "*domus Capellani villæ*," in every village. Although the division was even then so imperfect, that frequent subdivisions were subsequently made; as appears from the thirty-fifth law of the same king.

or religious house adjoining, to preach the word and administer the sacraments within appointed circuits. Still, the larger provinces of the prelates being denominated *parochiæ*, these little districts of delegate ministration assumed, it may be from analogy, the same appellation, being the contracted dioceses of subordinate ambulatory clergymen; but not, strictly speaking, parishes in the ordinary acceptation of the word, though such they have erroneously been supposed to be.

While this primitive arrangement prevailed, in the nonage and immaturity of Christian discipline and practice, the missionaries dispensed the word and sacraments abroad; and, returning from their holy circuit to the centre of unity, the episcopal college, reported to their diocesan the state of his *παροικία*, and the success of their evangelizing tours. So long, then, there was no call for the surveillance of local deans,—the Christian flock either being habitual worshippers *coram episcopo*, in presential communion with him, or constantly reported to him by the delegated emissaries of his college, the diocesan priests.

The duration of this simple church-polity is not exactly known. In the British times it doubtless commenced; though little or no testimony, as I have said, is extant to declare the ecclesiastical usages of those primitive times; and, after a period of pagan darkness and persecution (which drove the ancient insular clergy into Wales and Cornwall), the same economy again appears in the days of the Anglo-Saxons; a community and collegiate life of the bishop and his clergy being appointed for the model of the latter church by Pope Gregory at its first establishment; and the system of itinerant preaching

Selden's *Hijt. of Tythes*, c. 9. ii.

Wharton's *Defence of Pluralities*, pp. 63, seqq.

Kennett's *Case of Impropriations*, p. 3.  
Stillingfleet's *True Antiquity of London: Eccles. Cases*, V. ii. p. 578.

Selden's *Hijt. of Tythes*, c. 9. i.

Bedæ *Hijt. Eccl.*  
L. I. c. XXVII. &  
L. IV. c. XXVII.

Wharton's *De-  
fence of Plural.*  
p. 74.  
Alewin. *de Pon-  
tif. et Sanct.*  
*Ebor.* v. 1289.

and dispensing the word and sacraments, by temporary ministers dispatched from the associated body, being generally practised when venerable Bede—"presbyter *eximius meritis*"—finished his church-history (A.D. DCCXXXI).<sup>1</sup>

Bede *H.E.G.A.*  
Lib. III. c. XXVI.

Wharton's *De-  
fence of Plurali-  
ties*, p. 68.

(<sup>1</sup>) The usage of the British church and people in respect of itinerancy, about the year ccccxc, has been already declared, in a passage cited from the *M.S. History of Llandaff*. "If any credit is to be given to the ancient *lives and legends* of the *British* bishops and saints, this was the practice at that time in the *British* church: That the bishops at their cathedrals, and holy abbots and doctors in several parts of the diocese, should educate and maintain great numbers of priests in a collegiate life, and preside over them; who in their turns should travel about and instruct the lay Christians in all the circumjacent territories; and that being done, return to the college, and give way to others to succeed them in the same employment." But, on the other side of the question, see Mr. Whitaker's remarks in his *History of Manchester*, Vol. II. B. II. c. ix. § II., and also *Epist. Gildæ. Scriptores*, xv. pp. 23, seqq. *Increpation in Clerum*.

In reference to the English Saxons (A.D. DCLXIV.), itinerancy is pointedly shewn in the following anecdotes of our great ecclesiastical historian—"Si quis sacerdotum in vicum fortè devenerit, mox congregati in unum vicani verbum vitæ ab illo expectere curabant. Nam neque alia ipsis sacerdotibus aut clericis vicos adeundi, quàm prædicandi, baptizandi, infirmos visitandi, et (ut breviter dicam) animas curandi, causa fuit." And before, in the same chapter—"ubicunque clericus aliquis aut monachus adveniret, gaudenter ab omnibus tanquàm Dei famulus exciperetur. Etiam si in itinere pergens inveniretur, accurrebant, et flexâ cerice vel manu signari, vel ore illius se benedici gaudebant. Verbis quoque horum exhortatoriis diligentèr auditum præbebant" &c. And again elsewhere—"Erat quippe moris eo tempore populis Anglorum, ut veniente in villam clerico vel presbytero, cuncti ad ejus imperium verbum audituri confluerent, libentèr ea quæ dicerentur audirent, libentius ea quæ audire et intelligere poterant operando sequerentur."

Lib. IV. c. XXVII.

*H.E.G.A.* L. III.  
c. II. L. II.  
c. XIV.

Facilities of local worship were then most rare. Churches were very widely scattered. In the part of Northumbria, denominated *Pernicia*, (North-



Nay, it would appear, from his celebrated *Epistle to Archbishop Egbert* on the state of religion in Northumbria (A.D. DCCXXXIV.), that those parts were almost utterly destitute of spiritual assistance, not only from bishops, but from missionary presbyters also. The former not only neglected to visit, in person, the villages and hamlets of the inaccessible and mountainous woodlands, but sent no officiating ministers from the episcopal college, supported though it was by the general fund of the diocesan tithes<sup>1</sup>, levied on the deserted districts—“*Audivimus enim et fama est,*” writes the presbyter to his metropolitan, “*quid multæ villæ ac viculi nostræ gentis in montibus sint inaccessis et saltibus dumosis positi, ubi nunquam multis transeuntibus annis sit visus Antistes qui ibidem aliquid ministerii aut gratiæ cælestis exhibuerit, quorum tamen nec unus quidem à tributis Antistiti reddendis esse possit immunis; nec solum talibus locis desit Antistes, qui manûs impositione baptizatos confirmet, verum etiam omnis*

Carte's *General Hist. of England*, Vol. I. B. III. XVII. pp. 242, seqq.

*Epist. V. Bedæ ad Egbert. Antiq. Edit. Smith, p. 307. l. 25.*

(Northumberland and the South of Scotland between the Tweed and Firth of Forth) we are assured, on the high authority of Bede (A.D. DCCXXXV.), there was no church or altar erected—“*nullum fidei Christianæ signum, nulla ecclesia, nullum altare, &c*”—save only the church of St. Oswald. In *Deira* (Lancaster, York, Westmoreland, Cumberland, and Durham) no oratories, or baptisteries, save one *basilica* alone in the *villa regia* of *Campodonum*. For an account of the structure and materials of many Saxon churches, see Turner's *History of the Anglo-Saxons*, Vol. II. B. XII. c. v. pp. 415, seqq.

(<sup>1</sup>) While the necessities of the country were thus upon occasion supplied, it did not alter the state of the ecclesiastical patrimony; which still remained invested in the bishop for the common uses of religion, as devoted solely to God and his clergy. Out of the general fund the bishop gave to each officiating minister the dividend to which he was entitled for the spiritual duties he performed at the bishop's mandate.

Kennett's *Case of Impropriations*, p. 3.

*doctor, qui eos vel fidei veritatem, vel discretionem bonæ ac malæ actionis edoceat, absit."*

The archbishop himself being unable to attend to all the ministrations of religion in all parts of his vast diocese, the writer urges the appointment of assistant itinerant presbyters and teachers—" *quia latiora sunt spatia locorum, quæ ad gubernacula tuæ diœcesis pertinent, quàm ut solus per omnia discurrere, et in singulis viculis atque agellis verbum Dei prædicare, etiam anni totius emenso curriculo, sufficias; necessarium satis est, ut plures tibi sacri operis adiutores adsciscas, presbyteros videlicet ordinando, atque instituendo doctores, qui in singulis viculis prædicando Dei verbo, et consecrandis mysteriis cœlestibus, ac maximè peragendis sacris baptismatis officiis, ubi opportunitas ingruerit, insistant.*"

At this date, then, we may conclude, the system of missions from the episcopal college, ill supported as it was in certain parts of Northumbria, was the only mode of propagating the truths of the Gospel amongst the unconverted, and supplying the returning wants of spiritual ministration amongst the faithful. At least, the only material modification of it (if modification it can be called) was in such parts of the country as Christianity *most* prevailed, wherein, says Bishop Stillingfleet, "encouragement was given for building churches, at a convenient distance from the cathedral, and settling a number of presbyters together there, which were afterwards called collegiate churches:—to which the great and devout men of that time gave liberal endowments, that they might the better attend the service of God there, and in the country about them." Whence other zealous itinerants, again, issued forth upon the same

*Epist. V. Bedæ  
ad Ecgbert.  
Antisl. Edit.  
Smith, p. 306.  
l. 33.*

*Bingham's Ec-  
cles. Antiquities,  
B. v. c. vi. 5.  
B. ix. c. viii. 6.*

*Stillingfleet's  
Pref. to Eccles.  
Cases, Works,  
Vol. iii. p. 615.*

*Wharton's De-  
fence of Plural.  
p. 68.*

footing as from the episcopal college, to convert and instruct the circumjacent inhabitants; and continued so to do, as long as the missionary system of evangelizing prevailed—till, in short, the country was parochialized.—And when did this important innovation take place?

The idea of parishes, viewed in the light of “districts bounded in regard of the profits from the people therein,” in Fuller’s words, “payable only to a pastor incumbent there,” is inconsistent with the community of ecclesiastical profits jointly enjoyed by the bishop and his clergy during the greater part of the eighth century. But towards its close, Christianity having rapidly advanced, and “devotion,” to use Selden’s phrase, “having grown firmer,” the establishment of proper parochial cures was generally commenced by the bishops<sup>1</sup> and kings<sup>2</sup>, in their respective manors, and, more especially, by the opulent thegns<sup>3</sup>, the great landed proprietors of

*Church Hist.*  
Cent. VII. p. 80.  
Sherlock’s  
*Charge at Visitation*, MDCCLIX.

Bishop of Lin-  
coln’s *Visitation*  
*Charge*, MDCCLIX.  
p. 26.  
Kennett’s *Case*  
*of Impropriations*, p. 6.

(<sup>1</sup>) “*Birinus episcopus Dorcincæ &c. . . factis dedicatisque ecclesiis, multisque ad Dominum pro ejus labore populis advocatis, migravit ad Dominum.*”

Bede *E.H.G.A.*  
Lib. III. cap. VII.

(<sup>2</sup>) “*Inter alias quas fabricavi ecclesias, &c.*” *Carta Ethelberti Regis* in *Monast. Anglican.* Tom. I. p. 24. The earliest lay foundations of churches noticed by Bede, are those before cited of Counts Puch and Addi (*circa* A.D. DCC.)—but about A.D. DCCC. they appear to have been common, if we may credit the charters of confirmation made by Bertulph, king of Mercia, and others, to the abbey of Crowland, on the authority of Ingulphus.

Whitaker’s  
*Whalley*, B. II.  
c. I. p. 3<sup>s</sup>, note.

(<sup>3</sup>) To this origin we trace the history of private patronage:—the manorial lords, having founded and endowed local churches out of their own private resources, obtained, in return for their liberality, the right of presenting to each a competent pastor, approved by the bishop, and amenable to his jurisdiction, for institution and induction to the same. And our churches, to all appearance, are still, generally, presentable to

Burnet’s *Pastoral Care*, chap. X.  
p. 231. *Clergyman’s Assistant*.

Soames on *Patronage of Livings*, in *Brit. Magazine*,  
No. XX. p. 285.

by

Collier's *Eccles.*  
*Hist. of Gr. Britain*, B. III.  
pp. 229, seqq.

the Anglo-Saxons, who were desirous of the benefit of *resident* priests, for themselves and vassals, on their own extensive domains, and of having the limits of the same made permanent ecclesiastical divisions, within which they might partake of the offices of religion, without being compelled to have recourse to a distant cathedral, collegiate, or mother church. These foundations had, probably, proceeded more rapidly, had it not been for the mania<sup>1</sup> then dominant of erecting monasteries (so strongly animadverted on by Bede), which in many districts diverted the bounty of the rich from the more salutary direction of parochial establishments. However, by degrees, each estate and commensurate parish obtained its appropriate place of worship—a filial church subordinate to the maternal temple of the diocese, with a resident incumbent and distinct endowment of its own<sup>2</sup>. So

Turner's *Hist. of the Anglo-Saxons*, Vol. I. p. 398.

*The Hist. & Antiquities of the Deanery of Craven* &c. p. 5.  
2d Edit.

by the legal representatives of the very parties who built them originally, formally settling upon them, respectively, at the same time, from land of their own, a dowry of glebe, and the tithes of their own estates. See Dr. Burton's *Thoughts on the Separation of Church and State*, pp. 7, seqq.

(<sup>1</sup>) King Edgar boasted that he had erected forty-seven monasteries.

(<sup>2</sup>) To the following beautiful epifode of the Historian of Craven, not inapposite to the text at this point, the reader, I am sure, will readily grant the meed of approbation:—"I would ask, says Mr. Whitaker, "whether, at the foundation of parishes, and for many centuries after, it were possible to devise a method of supporting an incumbent equally wise and proper with that of a manse, glebe, and tithes?—The pastor was not to be a vagrant among his flock; an house therefore was to be provided for him; he wanted the common necessities of life (for it was held, at that time, that even spiritual men must eat and drink), and money there was none to purchase them; a moderate allotment, therefore, of land was also required. But the growth of grain, a process which demands much care and attention, would have converted the incumbent, as it has been well and frequently urged of late, into an illiterate farmer. It was proper, therefore,

much being “restrained from the common treasury of the diocese,” and perpetually annexed, with the bishop’s sanction, to each new creation, as was sufficient for the maintenance of a *separate* officiating minister upon each demesne. This practice being generally received, at last an uniformity obtained in this innovation of parochial right<sup>1</sup>.

Wharton’s *Defence of Pluralities*, p. 90.

At first, these precincts were much larger, and cast into such-like divisions in each diocese, (the bishop of Worcester thinks,) as, at present, constitute our rural deaneries—varying in size according to the difference of the several circuits of the founders’ demesnes,—and were subsequently subdivided;—but, whatever their magnitude, there is no record of localized parochial presbyters attached to any such particular incumbencies in England, till after the middle of the eighth century.

Stillingfleet’s *Bonds of Resignation*, Vol. III. p. 723.

It is true, that the advocate of earlier incumbencies

therefore, that the glebe should be restricted within such limits as would suffice for the production of milk, butter, cheese, animal food, and such other articles as require little labour; while the bread-corn, and other grain of the minister, should be supplied by the industry of his parishioners. And if the minister fed the people, as it was his office to do, with “the bread that endureth,” there was an harmony, as well as equity, in requiring that *they* should feed him in return with that “which perisheth.” But this primitive and pleasing reciprocation of good offices too quickly ceased to be universal; and the common corruption of our nature will supersede the necessity of inquiring, whether the evil began with the subtraction of tithes or teaching. The declension would be mutual; and law, not love, would soon become the measure both of the one payment and the other.”—*The History and Antiquities of the Deanery of Craven, &c.* Edit. 2. p. 5.

(<sup>1</sup>) See Sir Thomas Ridley’s *View of the Civile and Ecclesiastical Law*, p. 216, note; and Whitaker’s *History of Whalley*, B. II. C. I. pp. 37, 38.



Johnson's *Ec-  
cles. Laws*, Vol. 1.  
DCCXL.

*C. C. M. B. et H.*  
Vol. 1. pp. 102-3.

might allege the first and second of Egbert's *Excerpta* in proof of such a notion. They, *seemingly*, evidence the fact, "that parish-churches began *then* to be built apace in the province of York," as Mr. Johnson deduces from Can. 1.—"*Ut unusquisque sacerdos ecclesiam suam cum omni diligentia ædificet, &c.*" And the twenty-third, twenty-fourth, twenty-fifth, and twenty-sixth canons go, apparently, to establish the same point. But, it must be borne in mind, that the date of this compilation is unknown. The vicar of Cranbrook places it *A.D.* DCCXL.; Spelman and Wilkins, *A.D.* DCCL.; and others much later—as late as the tenth century. The truth, perhaps, may be, that, though the archbishop, whose name the *Excerptions* bear, was the founder of the *code*, about the time first specified, his successors and others augmented, curtailed, and transposed its contents at discretion; incorporating many canons of the ninth and tenth centuries with the authentic collection of the first *amanuensis*, Hucarius. So that this code of the province of York, as it now appears, with the many augmentations of Egbert's successors, (the work probably, as a whole, of some learned monk of the tenth century,) is no evidence of the state of clerical settlements during the archbishop's occupation of that See (*A.D.* DCCXXXIV—DCCLXVI). The rules are, almost entirely, copies and extracts from *continental* canons; which circumstance alone would render them inadmissible as testimony of our insular condition, at that or any other time: for they do not appear to have been ever received or ratified by any English council.

But, towards the close of the eighth century, we have other indisputable proof of presbyters appropriated to

particular churches.—In the fynod of Celeyth (*A.D.* DCCCLXXXV.) it is ordered, “*Omni anno in synodalibus conventibus ab episcopis singularum ecclesiarum presbyteri, qui populum erudire debent, de ipsâ fide diligentissimè examinentur, &c.*” And again, in a second fynod of the same place (*A.D.* DCCCXVI.), all the servants of God are bade to assemble “*per singulas parochias in singulis quibusque ecclesiis,*” at the death of the bishop, to chant thirty psalms for his departed soul, and perform other ceremonies of fasting and prayer:—where, it would seem, parishes limited as in later days, are to be understood.

As such foundations increased, the necessity of sending itinerant priests through the dioceses diminished, and at last wholly ceased;—so that we have no mention of them later than the fynod of Cloveshoe<sup>1</sup> (*A.D.* DCCXLVII.); in the ninth canon of which, they are enjoined to a due exercise of their functions of baptizing, teaching, and visiting, “*per loca et regiones laicorum, quæ sibi ab episcopis provincie insinuata et injuncta sunt, &c.*”

The instituting of parishes, and proportioning of churches to them, was certainly a slow and gradual work of many generations—several causes and persons conspiring to it—as Selden, Wharton, Stillingfleet, Wake, and Kennett, have abundantly proved. And, against the authority of such writers, so profoundly learned in ecclesiastical antiquities, few, I should think, will be

*CC. M. B. et II.*  
Vol. i. p. 146.  
can. i.

Selden's *Hist. of*  
*Tythes*, c. 9. iv.

*CC. M. B. et II.*  
Vol. i. p. 96.  
*Notes to Bishop*  
*of Lincoln's*  
*Charge*, MDCCIX.  
pp. 26, 27.

Kennett's *Cafe*  
*of Impropriations*, pp. 4, seqq.

Whitaker's *Hist.*  
*of Manchester*,  
Vol. ii. p. 393.

(<sup>1</sup>) This Cloveshoe, where several councils were held in the eighth and ninth centuries, has been generally, but wildly, supposed to be Cliff, at Hoo in Kent. It was certainly in Mercia, as the kings of Mercia were constantly present. And it was plainly Glevum, Clevum, or Gloucester, being Clou's or Clove's Hoo or castle, and Gloucester being also part of Mercia at that time.

*History of Manchester*, Vol. II.  
p. 371.

found to subscribe to Mr. Whitaker's bold and gratuitous assertion, that "all parishes were formed immediately on the Saxon conversion, or even established previously for ages among the Britons of the provinces<sup>1</sup>."

Wharton's *Definition of Pluralities*, p. 85.  
Selden's *Hist. of Tythes*, c. 9. IV.

Leaving, however, this much-ventilated subject—the obscurity of which is not a little increased by the different interpretations of the word *parochia*—it will suffice for us that a large number of parochial settlements were appointed towards the close of the eighth century, and, by its completion, the ecclesiastical division of dioceses, and "parochial limits of the parishioners' devotions," were grown sufficiently common for the ordinary instruction of the people to be *wholly* left to the *parish priests*, and itinerancy *entirely* abolished<sup>2</sup>.

How soon, after the organization of the rural clergy upon this new footing, archpresbyters were appointed to overlook them and their flocks, it is difficult to determine. Scope is afforded for the commencement of their inspectional services, in aidance of the bishop, at the date referred to: but it does not appear, that they were called into being till more than two centuries after. At least, no church-record affords any tidings of them, within the writer's knowledge, in our own islands.

(<sup>1</sup>) See Blackstone's *Commentaries*, Introduction, § IV.

(<sup>2</sup>) Presbyters are often recorded in Domesday-book as resident, where there is no mention of churches, and are supposed to have given titles to places so circumstanced—as *Priest's-town* or *Preston*, *Prestcot*, *Prest-wich* &c.:—in the same way as *kirks*, *churches*, or *ecclesiæ*, when such edifices were rare, gave to the favoured towns, or villages around them, the names of *Kirkby*, *Kirkham*, *Ormeskirk*, *Eccles*, *Eccles-ton*, *Eccles-hall*, &c. The etymology of *Crofs-ton*, perhaps, may be traced to some cruciform object of adoration.

In France, the first foundation of parish churches and ordinary cures was much earlier than in England; and so also was the bican archipresbyteral institution of higher antiquity in the former than in the latter country. In French councils and capitularies, mention is made of rural parishes<sup>1</sup> and priests in the fifth century, and of archpresbyters in the sixth.

But, probable as it is, that the whole machinery of the Gallican church-police<sup>2</sup> would speedily find its way into Britain, from the constant intercourse between the

(<sup>1</sup>) And in Italy, according to Muratori, parochial divisions were as early as the fourth century. "*Ad sæculum vulgaris epochæ quartum præcipuè pertinet paræciarum, sive ut appellare solemus, parochiarum divisio, et assignata parrocho cuicumque populi portio regenda. Et primo quidem instituti fuere parochi in urbibus, tum in agris, ut Christianorum multitudini in dies crescenti pastorum præsentium ope facilius confunderetur. Baptismales autem ecclesiæ procedente tempore ejusmodi ecclesiæ appellatæ sunt, quod baptisterium et jus baptizandi fideles, antea uni urbis cujusque ecclesiæ reservatum, commune factum fuit cum ruralibus quoque parochialibus ecclesiis, ne in incommodum infantium baptizandorum vergeret nimia sacri fontis distantia. Ruralium dixi: nam quod est ad urbanas parochias, longè serius iis facta est venia ministrandi baptismatis. Nempe olim erat cuicumque civitati una baptismalis basilica, plerumque penes cathedralem, ad quam deferre opus erat quoslibet civitatis pueros sacrâ undâ lustrandos . . . . . Plebes quoque nuncupabantur parochiales ecclesiæ, unde ad nos manavit Italica vox Pieve. Plebis quippe nomine olim designabatur collectio fidelium, sub uno sacerdote posita: quo sensu etiam diœceses interdum occurrunt appellatæ plebes," &c. With the first part of this statement on rurales parochiæ, Thomassin also agrees. See his *Vetus et Nova Ecclesiæ Disciplina*, Tom. I. P. I. L. II. c. XXII. x. p. 292.*

(<sup>2</sup>) "That there was all along, in these days, a very near affinity between the polity of France, and that of our own country, in its ecclesiastical, as well as in its civil establishment, might from many instances evidently

Muratori *Antiq. Med. Ævi*, Tom. VI. col. 359, seqq.

*The authority of Christian Princes over Synods, &c.* p. 151.

Stillington's  
*Eccl. Cases*,  
Vol. I. p. 145.

CC. M. B. et H.  
Vol. I. pp. 95.  
146. 213.

Johnson's *Ec-  
cles. Laws*,  
DCCCXIII.

*Hist. of Ancient  
Brit. Church.*

two countries; such does not appear to have been the case as to this particular department of spiritual office. The system of country archipresbyterates or decanates with their attached superintendents, does not appear amongst us till the eleventh century—owing, perhaps, to the magnitude of our first parochial divisions, and paucity of distinct congregations and incumbencies, which for a time called not for such appointments. Besides—such as they were, they were visited, every year, by the highest ecclesiastical officer. The bishops annually “went about their dioceses in order to an inquiry and correction of miscarriages,” visiting parochially every church, and manse, and pastor, and flock. They visited, indeed, before the division of parishes at all. The council of Cloveshoe, under Archbishop Cuthbert, orders diocesans to visit their *parochie* (dioceses) once a year, and to teach the people of all conditions and of both sexes “*utpote eos qui raro audiunt verbum DEI*,” prohibiting all pagan observances &c. (can. III.); and the same injunction is repeated in the council of Celcyth (A.D. DCCLXXXV. can. III.). After the division of parishes, annual episcopal visitations continued to be parochially made, as appears from the *constitutions* of Archbishop Odo (A.D. DCCCXLIII. can. III.); “the bishops going about their dioceses every year, and vigilantly *preaching* the word of God.”

While, then, church-discipline was thus supported by the diocesan in his own person throughout the whole

evidently be made appear,” says Archbishop Wake. See also Hales's *Primitive Church of the British Isles*, p. 68; *Collectanea Cambrica*, N<sup>o</sup>. VI.; and Roberts's *Visitation Sermon*, MDCCCXII. notes p. 20, and *Appendix*, N<sup>o</sup>. VI. p. 316.



*parochia*, we have no reason to expect the introduction of any official deputies; and none accordingly are found between the bishop and presbyter with any office or jurisdiction in the diocese at large. By degrees, however, the ecclesiastical condition of the country changed; and the spiritual government of the faithful became too arduous for *one* episcopal overseer or visitor to manage. Parishes, originally co-extensive with the largest manorial limitations—commenfurate, as I have said already, with our modern rural deanries—were again and again subdivided; till, at last, they reached the comparatively small bounds, and multiplied distinctions, which now, for the most part, obtain. Every new proprietor, by grant or purchase, of a partitioned lordship, was naturally desirous of a new place of worship<sup>1</sup>, a resident minister, and parochial circuit, proper to his own estate—accommodations, which the diocesan pastor liberally ceded for the advancement of Christianity.

Thus with the division of lordships<sup>2</sup>, churches and parishes simultaneously multiplied. And, notwithstanding the reservations in favour of the *seniores ecclesie*—the

Johnson's *Ecclef. Laws*,  
DCCCCLVIII. c. 2.  
MXVII. c. II.

(<sup>1</sup>) In Spain, and some other countries, no patron can alienate an advowson, but by selling the manor to which it belongs; and still, by our law, if the lord of a manor grant to another person his manor, *cum pertinentiis*, the advowson or patronage of any church or churches, appendant to that manor, passes to the purchaser, or other grantee, though there be no express mention of the advowson; nay, though the words *cum pertinentiis* be omitted. Bishop Burnet says the separating an advowson or presentation, and selling them off from an estate to which the endowment was annexed, obtains in no other nation or church than our own.

Johnson's *Ancient & Present Church of England*, Part I.  
ch. IX. p. 68.  
See Kennett's *Impropriations*, App. No. v. p. 6.

*Pastoral Care*, c. X. Clergyman's Assistant, p. 235.

(<sup>2</sup>) "*Ecclesie verò istorum omnes serè tot personas et participes habent, quot capitalium virorum in parochiâ genera fuerint.*"

Girald. Cambrenf. *Desc.*  
*Wall.* L. II. c. VI.

mother-parish-churches—of Edgar's and Canute's days, (whereby those churches, in case of new ones being erected within their limits, were entitled to two-thirds of the tithes and oblations of the elder *parochia* in its fullest extent), the daughter-churches, "by connivance of the time," became possessed of an equitable share of the parochial rights, and participated, at the same time, in the temporal heritage of their parents; that is, as far as the lands situate around the new creations were once tributary to the old, the latter were entirely deprived of them, and the secondary benefices therewith permanently endowed—saving alone the church-scot to the mother-church, which was continued to her as a mark of superiority.

See Turner's  
*Hist. of the Anglo-Saxons*, Vol.  
I. B. III. c. v.  
p. 223.

LL. *Ecclef. S.*  
Edward. CC.  
*M. B. et H.* Vol.  
I. p. 311. can. IX.

Thence it happened, that in the reign of the Confessor the very great number of churches (strange as it may found to modern ears, and scarce credible after all the ravages of the Danes in the ninth century<sup>1</sup>) was a subject of complaint: the new foundations, by the subtraction of large portions of tithe of the primary dotations, greatly impoverished the old parochial incumbencies—"Multis in locis modò sunt tres vel quatuor ecclesiæ, ubi tunc temporis una tantùm erat, et sic (decimæ singulorum sacerdotum) cœperant minui." (A.D. MLII.) The maintenance

Turner's *Hist. of the Anglo-Saxons*, Vol. I. B. v.  
c. I. p. 296.

(<sup>1</sup>) Alfred's interesting allusion to these ravages, in his Preface, while contrasting the former and then state of the kingdom, shews the number of well-furnished churches in the ninth century to have been considerable— . . . "I also remember," says the king, "how I saw, *before that every thing was ravaged and burnt*, that the churches through all the English nation stood full of vessels and books, and also of a great many of the servants of God &c.!" The churches, at that time, were, for the most part, built of wood, and therefore soon destroyed by fire.

of officiating priests was much lessened from this additional cause—that the clergy, having been in affluence while their larger parishes were undivided, did not at that time exact their rights to the full; and the same being neglected were, in a great measure, subsequently lost: while, at the same time, the very cantonment of the tithes amongst a greater number of poor clerks rendered their payment more necessary.

However, notwithstanding the complaints of the primary foundations, the secondary structures advanced, gradually and progressively, to the state of perfect benefices, and were invested with distinct glebe and tithes, apart from the mother-parish-church, as the latter, in its day, had been portioned off from the cathedral endowment<sup>1</sup>. Before, or about, the time of the Confessor, this innovation on the elder parochial division was completed; and the ecclesiastical bounds of parishes generally fixed, as they have since obtained throughout England—(see *LL. Eccl. Edgar. R. cc. vi. ix. xv. Canut. R. c. xiii*)—the diversity of our present parishes in size originating in the endless diversity of the several circumstances of the founders' possessions.

To reduce and preserve the multiplied parochial cures within the pale of discipline, we may suppose, that, about

Johnson's *Ancient & Present Church of England*, Vol. i. p. 17. Collier's *Ecclesiastical History*, B. III. p. 228.

Wharton's *Deference of Plural*. pp. 98, 99.

(<sup>1</sup>) In honour of the cathedral church, and in token of subjection to it, as the bishop's see, every parochial minister, within the diocese, pays to the bishop an annual pension, called anciently *cathedraicum*: which acknowledgment is supposed to have taken rise from the establishment of distinct parishes, with certain revenues, and thereby the separating of those districts from the immediate relation they had borne to the cathedral church. Mr. Johnson seems to consider the *cathedraicum* the same as *church-scot*: see *Ancient and Present Church of England*, Vol. i. p. 15.

Gibson's *Codex I. E. A. Tit. VIII. cap. i. Vol. i.* p. 171.

Ducangii *Gloss.*  
Tom. I. in voce.  
See Thomassin.  
*V. et N. E. D.*  
Tom. I. P. II.  
c. v. p. 225. v.

this time, a certain number of incumbencies or presbyterates were thrown together, and constituted an archipresbyterate<sup>1</sup>—"districtus archipresbyteri ruralis"—at the sole and arbitrary appointment of the bishop of the diocese; or, as population thickened, within the limits of the same, and new churches arose, that a certain number of contiguous cures, in classes of *ten*<sup>2</sup> or more (the ecclesiastical in this matter copying the civil state) were severed off from the primary jurisdiction, and modelled into deanries<sup>3</sup>; or, in other words, dioceses were broken into archipresbyterates, and these again remodelled into deanates, and placed by the diocesan under the vicarious tutelage of deans rural: who still preserved, in ecclesiastical language, the title of archpriests<sup>4</sup>.—"Archipres-

(<sup>1</sup>) Or the archipresbyterate may represent Bishop Stillingfleet's primary parochial division, a section of the diocese corresponding to the modern rural deanry; wherein was originally one church—the *matrix ecclesia*—with its incumbent minister; whose huge parish was subsequently cantoned into minor presbyterates; over which the elder priest presided, as the *plebanus* of the continent over his *minores tituli*; and continuing to dwell at the principal town or place (the *metrocomia*, where was the original *matrix ecclesia*), exercised, as archpriest, ecclesiastical rule over the whole jurisdiction, churches, presbyters, and people. See the note from Holinshed, below.

*Preface to Eccl.*  
*Cases*, xii.

(<sup>2</sup>) "Within the diocese of Worcester," Bishop Stillingfleet says, "in two deanries of it, there are to be found in Domesday-book above twenty parish churches: in the deanry of Warwick, ten; and in the deanry of Kingstone, fifteen,

*Hist. of Eng-*  
*land*, Vol. I.  
B. IV. p. 112.

(<sup>3</sup>) Rapin notes, that in the days of Alfred the secular clergy had taken possession of the monasteries, from whence the monks had been driven by the Danes; and lived there in common, under the direction of an archpriest.

(<sup>4</sup>) "As the number of Christians increased," writes Holinshed in *The Description of England*, "so first monasteries, then finally parish churches, were



byteri dicti videntur Decani," says Morin, "*èò quod antiquitus diœceses erant per decanias divisæ, quibus præerant archipresbyteri; ut videre est in capitul. Carol. calv. c. III. T. III. Conc. Gallie.*"

Some such ecclesiastical arrangement as that alluded to, probably, took place in England about the middle of the eleventh century, if not earlier, in imitation of the economy long before established in the Gallican churches; whence, in Mr. Whitaker's opinion, the whole of our spiritual police emanated. Whether, however, this notion be admitted or not, there were canons enough of influential councils, bearing upon the office in question, to make known its utility, and pave the way for its introduction from the continent into England—witness the second of Tours, the *Capitulars* of Charlemagne, and the Pavian and Lateran *councils*, cited in earlier pages.—In the latter it had been expressly decreed, (both at

Morin. de Sacris  
Ordinal. P. III.  
Execr. XVI. c. II.  
p. 217. x.

Hist. of Man-  
chester, Vol. II.  
B. II. c. IX. § III.  
p. 380.

were builded in everie jurisdiction: from whence I take our deanerie churches to have their originall, now called mother churches, and their incumbents archpreests; the rest being added since the conquest, either by the lords of everie towne, or zealous men, loth to travell farre, and willing to have some ease by building them ncere hand. Unto these deanerie churches also the cleargie in old time of the same deanerie were appointed to repaire at fundrie seasons, there to receive wholefome ordinances, and to consult upon the necessarie affaires of the whole jurisdiction; if necessitie so required: and some image hereof is yet to be seene in the north parts. But as the number of churches increased, so the repaire of the faithfull unto the cathedralls did diminish: whereby they now become especiallie in their nether parts rather markets and shoppes for merchandize, than solemn places of praier, whereunto they were first erected." *Second Booke, chap. 1. of the Ancient and Presente State of the Church of England*, p. 135. See also Stavely's *Hist. of Churches in England*, c. VII. pp. 108, seqq.; Stillingfleet's *Eccles. Cases*, p. 650. and the fourfold division of churches there stated *ex LL. Canuti Regis*.



Thomassin. *V. et*  
*N. E. D.* Tom. I.  
 P. I. L. II. c. VI.  
 p. 227. I.

Ticinum and at Rome) "*ut singule plebes archipresbyterum habeant.*" Where the word "*plebes*," Thomassin remarks, much to our present purpose, "*plurium parochiarum tractum designat, quibus constat unus decanatus. Quot plebes, totidem debent esse archipresbyteri, qui sollicitudinem gerant, non laicorum tantum fidelium, sed parochorum. Sicut episcopus matriæ præest ecclesiæ, ita archipresbyteri præsint plebibus, &c.*" By which explanation this archipresbyteral regiment is made to fall in with our then civil state as founded by Alfred<sup>1</sup>;—the constitution of which is said to have bestowed on the first representative of the archpriest's office, in ante-Norman England, the title of decanus; as the final clause of the same canon, "*cuncta tamen referant ad episcopum*," (the bishop being the author of the appointment) distinguished it by the adjunct of "*episcopi*."

To pursue the subject of the dean rural's origin no further—it is certain, that, in the year MLII., this then important personage appears, for the first time, in the tomes of the councils of Great Britain and Ireland, under the style and title of *Decanus Episcopi*<sup>2</sup>—in which capacity he takes cognisance of the violation of the peace within his deanry, and, with the earl and king, receives a share of the emendation or fine of £.8 awarded upon it—the king having one hundred shillings,

LL. Edward  
 Conf. cap. 31.  
 Spelman. *Gloss.*  
*Archæol.* p. 165.  
 Gibbon *C.E.A.*  
 Tit. XIII. c. VIII.

G. Sharp's *Account of the Ancient Division*  
 &c. p. 3.

Carpentier: *Append. ad Ducang.*  
 Tom. II. col. 16.

(<sup>1</sup>) "The first division of this kingdom into *hundreds* and *tithings* was ordained by the virtuous and patriotic King Alfred, who is expressly said to have therein followed the prudent counsel given by Jethro to Moses, Deut. i. 9—17."

(<sup>2</sup>) *Decanus episcopi*—"idem qui vulgò *Decanus Rualis aut Christianitatis*."

the earl of the county fifty shillings—"Decanus autem episcopi in cujus decanatu pax fracta fuerit reliquos decem"—which words can be applied only to the office of rural deans, according to the respective districts which they had in the parts of every diocese. "There could be no breach of the king's peace," says Sir H. Spelman, glossing upon this canon, "but it must also break the peace and unity of the church; therefore, the bishop's dean, in whose deanry the peace was broken, had ten shillings for his part of the mulct or fine thereof."

*Ancient Government of England. Reliq. Spelman, p. 50.*

Under the government of the Saxons the dean rural seems to have had more to do with civil than spiritual office, and, in that respect, to have differed from the vicar archpresbyter of the continent of the same and earlier date. When the archpresbyterate was converted into the decanate, and the archpriest into the dean, the office itself seems to have been somewhat secularized, and the officer made a sort of country magistrate. But, in truth, the notices of the dean are so scanty, and the authority of the church and state so blended together among the Saxons, in supporting the common interests of religion and government, that we cannot pretend to explain the nature and extent of the particular duties that devolved on him in their ecclesiastical polity apart from their civil. As far as they go, the laws of King Edward and their additaments are authentic memorials (I believe—though Atterbury questions, in part, their genuineness) of the ecclesiastical regime of the eleventh century; and I would that they were more full on the subject of our inquiry, instead of throwing, as is the case, little light upon it!

*See Wilkins, Not. ad LL. Eccles. S. Edw. Vol. i. p. 310. Charge to the Archdeaconry of Totness, MDCCVIII.*

The dean of these laws being called decanus episcopi,

*Codex I. E. A. Vol. II. Tit. XLII. cap. VIII. p. 97 l.*

*Origines Angli-  
canæ*, Vol. II.  
c. III. p. 66.

*LL. Edward.*  
Confess. cap. 31.  
& *Scriptores*  
*post Bedam*,  
p. 607.  
*Rog. Hoveden.*  
*Annal. Legg.*  
*Will. Senior.*  
*C. I. E. A.* ubi  
suprà, p. 971.  
*Hist. of Man-  
chester*, B. II.  
c. IX. § III.  
*CC. M. B. et H.*  
Vol. I. p. 311.

*Eccles. Laws*,  
MLXIV. note (g).

“without doubt,” Bishop Gibson argues, “was appointed by the bishop, to have the inspection of the clergy and people, within the district in which he was incumbent, under him, and him alone.”—But so much is left to conjecture, as to the constitution of his office, that Dr. Inett, drawing a different conclusion, is inclined to view him, not as a localized functionary with a settled district of supervision, but rather as a spiritual emissary, like the archdeacon of that day, a diocesan officer, with occasional delegations of power from the bishop, as circumstances required;—a different personage quite from the incumbent *Dean rural* of after days. And yet, the laws of the Confessor, be it remembered, speak of the “*decanus in cujus decanatu &c.*” as if the officer intended were in immediate connexion with a particular *Deanry*, and not a remote non-resident delegate, dispatched on emergencies from the episcopal see. That he was a residentiary officer, again, is the opinion of Mr. Whitaker; who views the code of the Confessor as a document that may be relied on, and draws from it a general inference that the rural *Dean* was everywhere *settled*, and the rural *Deanry* everywhere laid out, among our Saxon ancestors—an inference by no means warranted.

If the officer called “*minister episcopi*” in the tenth canon of the same code be, as is reasonably entertained, the same functionary as the “*decanus episcopi*” of the thirty-first canon, we have an extension of his powers from matters connected with the *king’s peace*, to that of the management of an *ordeal-trial*. Mr. Johnson, however, does not apply the “*bishop’s minister*” to the *Dean*, but to the *archdeacon*, “or whatever officer the bishop thought fit to send.” Who more fit than the *local ordinary*,

the dean of the district, in which the *ordeal* was to be held<sup>1</sup>?

I do not say positively that the first rural archpresbyter, or dean, was not a diocesan emissary of the nature referred to by Dr. Inett; nor that the type of his office was not founded on the eastern model of the see of Laodicea; where the *periodonta* was sometimes a resident curator, sometimes, and perhaps more frequently, an itinerant coadjutor of the urban bishop—after the abolition of the *choræpiscopus*, who was the city-bishop's previous helpmate.—There is every reason to suppose the fifty-seventh canon of Laodicea known to the Anglican church at the time of the synod of Celcyth; in the fourth canon of which it is decreed, “*ut synodalia edicta universalium sææ conciliorum cum decretis pontificum Romanorum sæpius lectitentur, observentur, et juxta eorum exemplar ecclesiæ status corrigatur, ut ne quid novi ab aliquibus introduci permittatur, ne sit schisma in ecclesiâ Dei.*” From whence it may be inferred, that the church of England received the whole body of canons and codes contained in the first six general councils, and, of course, those of the topical councils ratified and confirmed by them (*see* the second Volume of the Clergyman's *Vade-Mecum* by Mr. Johnson), of which collection the Laodicean decrees formed a part.

The ancient church of our island had ever a great regard to the *Orientalis*; as appears from another clause

CC. M. B. et II.  
Vol. i. p. 147.

Ecclef. Laws,  
DCCCLXXXV. note,  
can. iv.

Preface, exiii.

(<sup>1</sup>) Collier interprets the phrase by the *bishop's official*. On the Anglo-Saxon *ordeals*, *see* Wilkins *LL. Inæ*, p. 27; Collier's *Ecclef. Hist. of Great Britain*, B. III. p. 231.; and Turner's *History of the Anglo-Saxons*, Vol. II. chap. VIII. p. 266. 4to. edit.

Ecclef. History,  
B. III. p. 228.

of the canon just cited, whereby it is enacted that the English monks and regulars should use the habits of the *Oriental*s.—So that, it is possible, our church may have derived the visiting presbyter's office *direct* from the East, instead of receiving it *mediately* from France.

The evidence, however, such as it is, of the first *Dean* rural of Britain—the *Decanus episcopii*—(whether the officer be of Oriental or Gallican derivation) would, assuredly, lead us to suppose him a local incumbent invested with a capacity to visit and correct defaults within his jurisdiction, rather than a mere diocesan mandatarv.

In the kingdom of France, where the ecclesiastical records have been more carefully preserved, and our ecclesiastical notices are more numerous and accurate, the *Deans* were, undoubtedly, not diocesan emissaries, but local incumbents. “We see them,” says Mr. Whitaker, “established in their *Deanries*, and making visitations in them, as early as DCCCL; and, even several years earlier, invested with a considerable authority, and acting as ecclesiastical judges immediately below the archdeacon and bishop.” For this statement Mr. Whitaker cites as his authorities, Hincmar. p. 716. Tom. i. *Articles of Enquiry made by the Deans*; and Baluzius, c. 860 & 1123. Tom. i. I suppose these were the most ancient examples which this very learned antiquary could produce. But, the reader will have seen, my researches have been more successful, and have carried back the office in France to the *sixth* century—to the council of Tours<sup>1</sup> (A.D. DLXVII.)

*History of Manchester*, Vol. II.  
B. II. c. IX. § III.  
p. 380.

p. 393.

*SS. CC.* Tom. VI.  
col. 539.

(<sup>1</sup>) There is a canon of this council of Tours well worthy of notice in these our days, when the usages of antiquity are, from sinister motives, so often misrepresented with regard to the distribution of church property;—



—a period when, according to Baronius, church-discipline was very energetically supported by the Gallican prelates, —“*ob complures S. episcopos, qui praeerant diversarum provinciarum ecclesiis, vigeat magnoperè ecclesiastica disciplina &c.*” Resident bican archpresbyters are there noticed, as in the full exercise of their inspectionary powers: and they are again and again mentioned, as I have already observed in the first branch of our inquiry, in the writings of Gregory of Tours, a little before the date of the council referred to. But to return home:—

Baronii *Annal. Ecclesiast.* Tom. vii. col. 776.

Whether the decanal office of the country was of much, or even any, higher antiquity in the British isles, than the eleventh century, I cannot discover<sup>1</sup>:—the proba-

property;—though Mr. Hale, in his admirable treatise “*on the supposed existence of a quadripartite and tripartite division of tithes in England, for maintaining the clergy, the poor, and the fabric of the church,*” and in his evidence before Parliament on the same subject, has set that fallacy at rest for ever, as far as regards our own country:—to one of the recipients of the bounty in question, the canon of Tours referred to applies—viz. the poor.—So far from the Gallican church having been, at that time, alone burthened with the poor, the council orders that the inhabitants of each place, lay and clerical, should support their own poor:—“*Ut unaquæque civitas pauperes et egenos incolas alimentis congruentibus pascat secundum vires, ut tam vicani presbyteri, quàm cives omnes, suum pauperem pascant: quo fiet ut ipsi pauperes per civitates alias non vagentur.*” (Concil. Turon. II. A.D. DLXVII.)

SS.CC. Tom. vi. col. 536.

(<sup>1</sup>) A naked traditional account of an earlier Dean is preserved in the curious memoir, the *Status de Blackburnshire*. The story states, that the incumbents of *Whitechurch* under the Leigh (Walley) wrote themselves, and were usually styled, not rectors, but Deans; of which the reason is supposed to be, that, on account of the remote and almost inaccessible situation of the place, entangled with woods and overrun with wild beasts, the bishops of Lichfield devolved upon them a large portion of ecclesiastical jurisdiction, reserving only to themselves the decision of certain difficult

Whitaker's *Hist. of Whalley*, B. II. c. i. pp. 31, 32.

*Conc. Berghamst.*  
*CC. M. B. et H.*  
Vol. I. p. 60.

*Cann. sub Ed-*  
*garo Rege, c. VII.*  
*CC. M. B. et H.*  
Vol. I. p. 225.

bility is, that it was not. The non-existence of a generally distributed parochial clergy before that date, was a bar to its institution. There was no call for the office; and there is no trace of its existence. The duties of the continental archpresbyter were thrown on the ordinary priest of England by the seventh canon of the *Dooms Ecclesiastical* of King Withred (*A.D. DCXCVI*), and by the sixth of King Edgar's *Canons* (*A.D. DCCCLX*). From the former, it is clear, that the priest was thought to be under obligation to present offenders to the bishop—" *Si sacerdos injustum concubitum permiserit &c.:*" and by the latter, such a presentment is expressly taught;—" *Docemus etiam, ut quilibet sacerdos in synodo enunciet, si in parochiâ suâ noscat aliquem erga DEUM contumacem, vel qui in peccatum mortale malè inciderit, quem ad emendationem inclinare nequit, vel non audet propter seculares.*"

Had the Dean of King Edward's laws, viewed in the character of a spiritual supervisor of morals and religion (such as he was in his archiepiscopal capacity in France) been in existence at the date of the Berghamstead synod, or even the later *Canons* of Edgar, the duty of delating offenders &c. had, probably, devolved on him;—such having been the accusatorial office of his countertype of France, many centuries before the latter date, and more than a century and a quarter before the former.

*CC. M. B. et H.*  
Vol. I. p. 62.

Again, the *Laws of satisfaction for violation of orders*,

Whitaker, ib.  
pp. 39, 40.

difficult and important cases: that this constitution remained for four hundred and seventy years before the conquest &c. &c. Dr. Whitaker considers this ecclesiastic not to have been a rural Dean. See some remarks upon his anomalous semi-secular character, in an earlier page.

of the aforefaid King Withred (*A.D.* DCXCVI), recite the different *Ecclesiastical Degrees*, and the fines or emendations to be paid by perfons guilty of violating them; but there is no notice of any functionary between the priest and bifhop: nor does any fuch appear in the *Dialogue* of Ecgbert (*A.D.* DCCXXXIV); one of the refponfes of which apporions the *quantum* of penance and price, inflicted by the church, for the murder of a bifhop, a prefbyter, a deacon, and a monk. If archdeacons and archprefbyters were then in exiftence in the Englifh church, they were not rated in the fcale of appreciation. The legislative arithmetic, by which every perfon among the Anglo-Saxons was valued at a certain fum, denominated his *were*, took no cognifance of them by any fuch compenfatory payment. But fee the remarks prefently following.

*CC. M. B. et II.*  
Vol. I. p. 84.

The learned author of our *Ecclesiastical Codex* remarks (Tit. XLII. cap. VIII. of rural deans), that “the office is mentioned in the laws of Edward the Confeffor, as an office of antiquity at that time.” But I do not fee that the words of the particular canon referred to authorife the opinion that the office was one of *long ftanding*, here in England, at the period in queftion, (if fuch be Gibfon’s meaning,) though it was on the continent of Europe. Indeed, for the reafons juft ftated, it probably could not have been.

Gibfon’s *Cod.*  
*I. E. A.* Vol. II.  
p. 971.

But upon this fubject of the antiquity of the office, it may, in paffing, be obferved, (indeed I owe it to Mr. Brewfter, the author of the *Collectanea Ecclesiastica*, not to pafs it over unnoticed,) that the “*præfectus epifcopi*” of King Edgar’s *Law Ecclesiastical* (III. *de decimis*)—the “*sacerdos epifcopi*” of John Bromton’s text of the fame,

*CC. M. B. et II.*  
V. I. p. 245. *A.D.*  
DCCCCLXVII.  
*Scriptor. X.*  
*Chron. J. Brom-*  
*ton,* col. 871.  
*CC. M. B. et II.*  
Vol. I. p. 302.  
*A.D.* MXXXIII.

*Origines Anglicane*, Vol. II.  
p. 59.

Brady's *Gloss.*  
p. 59.  
*Parochial Antiquities*, Vol. II.  
p. 337.

Homer. *Iliad*.  
A. 514.

*Ecclef. History of Gt. Britain*,  
B III. p. 186.

—and the “*præpositus episcopi*” of Canute’s *Laws Ecclesiastical* (VIII. *de decimis reddendis*), may possibly mean the dean rural; as the terms “*præfectus*” and “*præpositus*” are often applied to urban deans, and may, by parity of construction, be transferred to *bican alfo*<sup>1</sup>. Upon these tithe-canons of Edgar and Canute, and the officers employed in administering them (called by Dr. Inett “the bishop’s *deputies*”), I shall have occasion again to speak, under the head of rural chapters, as courts of Christianity for the recovery of church-dues;—merely here subjoining, that the more usual interpretation of the term “*Præpositus Episcopi*” is the Bishop’s Reeve<sup>2</sup>.

As no precise time can be determined when the office of rural dean first began, and no writers have assigned the cause or reason of its institution in this country, the Vicar of Ambrosden expresses a conviction that its *very existence* is to be primarily fought in an imitation of the civil economy of the state. The parallel drawn of the lay and clerical *politia* of the day by this learned writer—in ecclesiastical antiquities *ἀνὴρ πολλῶν ἀντάξιος ἄλλων*—is ingenious; but, in my opinion, however strong the analogy pointed out between the two, there are obstacles to the admission of the hypothesis that the rural deanship of the church *originated* in an imitation of the jurisdiction of the tithing-man of the state. Still, the parallel is so nicely worked out by Kennett, so interesting in its

(<sup>1</sup>) See Ducange’s *Glossar.* in voce *Præpositus*, Tom. v. p. 759., and Wharton’s *Anglia Sacra*, Vol. I. pp. 431. 448. 559, for examples.

(<sup>2</sup>) Mr. Collier, in his version of the third canon of Edgar’s *Constitutions*, introduces the bishop himself, instead of his officer, as the tithe-arbitrator, in conjunction with the sheriff and the parson of the parish. Of Canute’s *canon* he takes no notice.

details, and so pertinent to this part of our subject, that I am induced to lay it before the reader in the words of the author;—premising, that he does not profess to investigate the original institution and jurisdiction of rural Deans beyond our own church and nation, nor attempt to extend the resemblance to any other countries than those having the like civil government.

“In the external policy of the Christian church,” says Dr. Kennett, “several ecclesiastical offices of dignity and power were modelled<sup>1</sup> by the examples of places and persons in the civil government. It was so in the primitive<sup>2</sup> ages through the East and Western empires, where (as if the church by this compliment courted the favour and protection of the state) the titles and pre-eminence of patriarchs, primates, metropolitans, and some other dignitaries, took the rise and foundation from the temporal powers, that is, from their different exercise of government in cities and countries. The office of rural Deans was undoubtedly owing to the same emulation of following the methods and forms of civil government; and therefore, as in this northern kingdom, for the better conservation of peace, and the more easy administration of justice, every hundred was divided into ten districts or tithings; each tithing made up of

(<sup>1</sup>) Thus spake the seventeenth canon of the Œcumenic Council of Chalcedon, *sub fine*—τοῖς πολιτικοῖς καὶ δημοσίοις τύποις καὶ τῶν ἐκκλησιαστικῶν παροικιῶν ἡ τάξις ἀκολουθεῖτω. (EDITOR.)

(<sup>2</sup>) See Walafrid Strabo's *Comparatio ecclesiasticorum ordinum et secularium*, in his work ‘*De exordiis et incrementis rerum ecclesiasticarum*,’ cap. 31: also the running gloss of Muratori upon the lower grades of ecclesiastic and secular offices of the same author, in his *Antiquitates Medii Œvi*, Dissertat. decima, Tom. i. col. 519. (EDITOR.)

Routh *Opuscul. Eccles.* Vol. II. p. 411

Hittorpii *de Divinis Cathol. Eccles. Officiis*, Tom. I. col. 695-6.



LL. Edward.  
Confess. 32. de  
centurionibus.

Ibid cap. 33.  
de hundredis.

ten friborgs, each friborg of ten families; and in every such titling '*statuerunt justitios super quosque decem friborgos, quos decanos possumus appellare, Anglicè vero Τριημερος, i.e. caput de decem*<sup>1</sup>;' which justices, or civil deans, were to examine and determine all lesser causes between villages and neighbours; to levy the fines or emendations according to legal forfeitures; to compose all occasional differences, and prescribe the measures of satisfaction; and, for this purpose, to keep their stated meetings for complaint and inquiry; but to refer all greater or more criminal causes to the superior justices, or those who had jurisdiction over the whole hundred<sup>2</sup>. So, in compliance with this secular method, the spiritual governors, the bishops, divided each diocese into decanries or tithings, each of which was the district of ten parishes or churches; and over every such district they appointed a dean, who should in like manner reconcile the differences of Christian neighbours; and receive complaints, and inquire into grievances, and impose the lesser censures of the church: and for this purpose to

(<sup>1</sup>) *Caput de decem*—*Decembir*—Spelman. *Margin. Annot. Glossar. Archæol.* p. 248. See also Dugdale's *Origines Juridic. c. x. Court Baron*, p. 25. "*Decanus, Friboroughed or Headborough.*" The occasion of the lay-institution is given in full by Sir Henry Spelman, from the original laws c. xx. *loc. cit. Glossar. Archæol.*—and translated in *The Ancient Government of England*, p. 51. (EDITOR.)

(<sup>2</sup>) "The lords of the hundred, by the laws of Hen. I. c. 8., were to hold their courts twelve times in the year, *i.e.* once a month; especially, a full appearance was required twice a year. So the deans had their synods."

"The like similitude between the earl and the bishop; both their estimations valued alike in the laws of King Ethelstan; and two schire-motes every year, as two episcopal synods."

W. K. MSS. Add.  
Par. Antiq. Vol.  
II. p. 338.

hold their solemn chapters, and preside in them, and judicially determine all matters of less concern; but to refer the cognisance of all greater causes, and suffer appeals to the superior courts of Christianity, and so on, to the supreme ecclesiastical judicature<sup>1</sup>.”

“These deans were constituted over such a number of churches within a large city, and were then called *decani*

(<sup>1</sup>) The like office of deans began very early in the greater monasteries, observes Bishop Kennett, especially in those of the Benedictine order; where the whole convent was divided into decuries, in which the dean or tenth person presided over the other nine; took an account of all their manual operations; suffered none to leave their station, or omit their particular duty, without express leave; visited their cells or dormitories every night; attended them at table, to keep order and decorum at their meals; guided their conscience; directed their studies, and observed their conversation; and for this purpose held frequent chapters, wherein they took public cognisance of all irregular practices; and imposed some lesser penances; but submitted all their proceedings to the abbot or prelate, to whom they were accountable for their power, and the abuses of it. And in the larger houses, where the numbers amounted to several decuries, the senior dean had a special pre-eminence, and had sometimes the care of all the others devolved upon him alone. And therefore the institution of cathedral deans was certainly owing to this practice. When in episcopal sees the bishops dispersed the body of their clergy by affixing them to parochial cures, they reserved a college of priests or secular canons for their counsel and assistance, and for the constant celebration of divine offices in the mother or cathedral church; where the tenth person had an inspecting and presiding power, till the senior or principal dean swallowed up the office of all the inferior, and in subordination to the bishop was head or governor of the whole society. His office, as described in the churches of Lichfield and Coventry and St. Paul's, was to have authority over all the canons, presbyters, and vicars; to give possession to them when instituted by the bishop; to inspect their discharge of the cure of souls; to convene chapters, and preside in them; there to hear and determine proper causes; and to visit all churches once in three years within the limits of their jurisdiction.

*Parochial Antiquities*, Vol. II. pp. 339, seqq.

*Regul. S. Bened.* 63. et *Synod. Megunt.* l. c. 10. B. liidor. *de Eccl. Offic.* l. II. c. 15.

S. Hieronym. *ad Eustoch. Epist.* XXII. c. XV. *de Canobitis*. See *H. D. R. P. I.* s. I. sub fine.

*Alteferra Affect.* l. II. cap. 9.

*Synod. Aquifgran.* can. 55.

*Monast. Anglican.* Tom. III. pp. 241. 386.

urbani and bīcāni; or else over the like extent of country churches, and were then strictly called *decani rurales*. And, indeed, the tithing-men in the state, and the rural *deans* in the church, had the extent of their jurisdiction and the exercise of it so much alike, that the one could be no less than a transcript of the other. And, therefore, it is farther observable, that we meet with no such offices as rural *deans* in Italy or Spain; but, I think, only in England, France, and Germany, or those northern parts, where the like custom in civil policy prevailed. And as hundreds and tithings kept their name, when they bare no longer a strict relation to the number of villages or people; so likewise the rural *deaneries* continued, when they lost their first allusion to ten parishes or churches, and the district of them was contracted or enlarged at the pleasure of the bishop<sup>1</sup>.”

“Though some *deanries* do still retain the primitive allotment of ten churches, especially in Wales, where the most ancient usages continue in the diocese of St. Asaph, the *deanries* of Bromfield and Yale, and of Kidwen; in Bangor diocese, the *deanries* of Llin and of Llivon; in the Diocese of Landaff, the *deanry* of Usk; in that of St. David’s, the *deanry* of Emlin, have the precise number of ten parish churches. And several other

*Regni Angliæ  
Gubernatio  
Ecclesiastica,  
cap. IV.*

(<sup>1</sup>) “*Totum Angliæ Regnum,*” says Dr. Cofin, “*ratione ecclesiasticæ in eo jurisdictionis, dividitur in duas archiepiscopales provincias—Cantuariensem et Eboracensem. Utraque provincia in suas episcopales diœceses, singulæ propemodum diœceses, præfertim quæ majores sunt, in archidiaconatus, quandòque quartam partem diœcesis continent; decanatus, quibus præficiuntur rurales decani antiquis archipresbyteris non multum dissimiles, et complectentes plerumque decem parœcias, quas concilium Chalcedonense Regionales vocat; &c.*” (EDITOR.)

deanries, that upon their new division were made up of two conjoined, or three contracted into two or one, do now contain the number of fifteen, twenty, or thirty churches, according to the division so made. As for instance, the present deanry of Burcester is made up of thirty-one parish churches: of which the one church of Ambrofdon being excepted, as before the Reformation being in the deanry of Codefdon, the remaining thirty do expressly answer the three distinct deanries of Curtlington, Ilip, and Burcester, of which the two former were annexed to the latter.” Dr. Whitaker, in his *History of Richmondshire*, Vol. II. p. 210, notices that the rural deanry of Kendal consists of ten parishes, and that of Kirkby Lonsdale of the same number: though of the latter, five are in Lancashire, four in Yorkshire, and one in Westmoreland, p. 276.<sup>1</sup>

Plausible as is this theory of the parochial antiquary, and true to the extent of affording a satisfactory explanation of the nature of the local jurisdiction, and the probable origin of the name of dean, applied to the tenant of the archiepiscopal office—an application, confessedly, synchronizing in its date with the state-polity alluded to, or immediately succeeding it<sup>2</sup>—it still appears to me to have little or nothing to do with the rise

(<sup>1</sup>) See also *Hist. of Manchester*, Vol. II. B. II. c. IX. p. 381.

(<sup>2</sup>) The date of the institution of civil deanries or decanias is not exactly known: on the continent it obtained earlier than among ourselves; but no where for nearly six hundred years after Christ. On the authority of Baluzius, Muratori places it at the close of the sixth century—“*primus, qui regionem civitati subjectam in centenas et decanias divisisse creditur, fuit Chlotharius II. Rex Francorum circiter Annum Christi dxcv.*”

Muratori *Antiquitat. Medii Ævi*, Dissertat. Decima, Tom. I. col. 520.

*Charge to the  
Clergy of Tot-  
nefs, MDCCVIII.*

of the fpiritual charge itfelf; which, as identical with that of the rural archpriestfhip, is traced to a much earlier date than the fecular office of tything-man, and found where the latter never existed. Lay influence may have modified the form and extent of the ecclefiaftical jurifdiction, but cannot be faid to have originated an office more ancient than its fancied archetype.

Accordingly, by Atterbury, when archdeacon of Totnefs, the fcheme of Kennett was objected to, as founded in error. "It is untrue," fays he, "that the institution of rural deans was peculiar to Germany, Gaul, Great Britain, and the northern parts of Europe; but altogether unknown to Italy, till the time of Cardinal Borromeo<sup>1</sup>. The ground of that error was a falfe notion entertained by Kennett, that the dean rural in the church answered to the tything-man in the ftate, and had the fame extent of jurifdiction; which led him to imagine that *that* portion of a bifhopric, which we call a rural deanry, was to be found in no countries but where the like civil diftribution into tythings prevailed.

(<sup>1</sup>) Dr. Kennett and Dr. Atterbury rarely agreed upon any fubject. But I believe the latter is here right. The facts of hiftory are certainly againft the hypothefis of the bifhop of Peterborough. We have found many instances of this facerdotal dignity in Italy and Spain, in the courfe of our inquiry: and, if the cafe were otherwife, the non-occurrence of the office (in Italy at leaft) would be readily accounted for in the reafon alleged by Thomaffin, (for he feems to agree with Kennett, as to there being no fuch officers in Italy) viz. the fmallnefs of Italian bifhoprics, and confequent needlefnefs of fubordinate decanal jurifdictions. But, in truth, archpriests or deans were of early institution in Italy, though not exactly on the fame footing as they were fubfequently placed by the reforming archbifhop of Milan.

*V. et N. E. D.  
Tom. II. P. II.  
L. III. c. I. XXVI.  
p. 794. III.*



I need oppose nothing to this opinion beyond the authority of Sir H. Spelman, in that part of his glossary which he himself printed; where he tells us, that the rural deanry answered (not to the secular tything, but rather and more nearly) to the county hundred. ‘*Decanatus dicitur de portione episcopatus, centuriæ seu hundredo committatus respondentis, et decano olim suppositus*!’ ”

*Glossar. Arch.*  
in v. decanatus,  
p. 166.

Equally unsatisfactory is the hypothesis of the bishop of Peterborough to the accurate and penetrating research of Mr. Whitaker, the Historian of Manchester; who, from his examination of the deanries of Lancashire, shews “the folly of the inconsistent relations, which have been equally adopted as true,—that deanries were made in the church in order to correspond with the *tythings*, and to agree with the *hundreds* in the state. The uniformity of the ecclesiastical and civil tything is asserted by Bishop Kennett. The sameness of the deanry and the hundred is affirmed by Dr. Warner. And both accounts are equally adopted by Dr. Burn in his *Ecclesiastical Law*. But they are as wrong as they are contradictory.” . . . . “This strange mistake,” continues Whitaker, “has so far influenced Bishop Kennett, that falsely supposing the tythings of the state to have been instituted by Alfred, and obliged not to make the copy more ancient than the original, he therefore dates the ecclesiastical tything below the age of Alfred, and asserts the latter to have been in no kingdom that had not the former; when the latter was confessedly in Wales, and actually in Ireland, Hungary, Bohemia, and Poland, where the former never was.”

*History of Man-*  
*chester*, Vol. II.  
p. 393.

What, then, after all this hypothesis, contradiction, and uncertainty, may we assume to have been the true reasons of the first rise and institution of this office in England?

*Ecclef. Cafes,*  
Works, Vol. III.  
p. 654.

Atterbury's *Archidiaconal Charge*,  
MDCCVIII.

Lewis's *Eſſay on Suffragan Biſhops*, p. 7.

There were many things, the Biſhops Stillingfleet and Atterbury, with great probability, conjecture, which contributed to letting the archdeacons, and archpreſbyters or rural deans, into a part of the eccleſiaſtical juriſdiction<sup>1</sup>; and theſe were, “the laying aſide the *chorepiſcopi* in the Weſtern parts,” (of which ſo much has been already ſaid), “as taking too much upon them”—and the public ſervices to which the biſhops, as the king's barons, were obliged under the Norman government. This preſſure of ſecular buſineſs, added to attendance at all eccleſiaſtical ſynods, occaſioned<sup>2</sup> temporary delegations of the whole epiſcopal juriſdiction to ſome officers, and of certain parts of it to others, erected for this purpoſe, from whom the biſhops preſerved a right of appeal;—there being, in the words of Jeremy Taylor, “no canon,

*Jus Eccleſiaſt.*  
*Proteſtant.* L. III.  
Tit. XXXIX.  
Tom. III. p. 576.

(<sup>1</sup>) The cauſes that originated the dean's archetype in the eaſtern church of Aſia Minor, as aſſigned by Boëhmer, are worth noticing—“(Cur *periodeutæ inſtituti.*) § XXIII. *Hoc ſæculo, variis inſteſtinis malis notabili, officium periodeutarum in quibuſdam eccleſiis demùm invaluit, tum quod epiſcopi primarii propter quotidiana cum Arianis aliſque certamina, ſerè à ſollicitudine debitâ viſitandi eccleſias avocarentur, et ſynodis hinc inde convocatis intereſſe, ab eccleſiâ ſuâ abeſſe juberentur; tum etiam quod quorundam provincia ſeu diœceſis jam latiùs extenſa eſſet, cui ſolius epiſcopi viſitatio annalis haud ſufficiebat. Hâc de cauſâ hanc partem muneris ſui, quod viſitatione frequentiſſimâ explicandum erat, vicariùs quibuſdam concediderunt, qui a nutu epiſcoporum dependebant, omnia ad epiſcopum referebant, et auctoritate epiſcopi per diœceſin circumſebant &c.”*

*Of the Pacifica-  
tion of the  
Church*, Works,  
Vol. II. p. 534.

(<sup>2</sup>) “It is probable,” ſays Lord Bacon (ſomewhat out of temper, ſeemingly, with theſe delegations of the hierarchy), “that biſhops when they gave themſelves too much to the glory of the world, and became grandees in kingdoms, and great counſellors to princes, then did they delegate their proper juriſdictions, as things of too inferior a nature for their greatneſs &c.”

or perſonal declamatory clauſe, againſt a biſhop giving more or leſs of his jurifdiction by way of delegation." Nay, we may go further; and ſay, with Mr. Johnſon, that in the codes of the primitive and univerſal church, examples occur of every kind of ſpiritual authority, exerciſed by biſhops principally, being, on occaſions, delegated to preſbyters, except that of ordination alone<sup>1</sup>.

From the conjectures of the cited biſhops of Worcester and Rocheſter, again, Dr. Inett in part diſſents, ſtarting a ſupplemental hypotheſis of his own, by no means unreaſonable.—“The ſeparation of the eccleſiaſtical and civil courts<sup>2</sup>, and ſetting up the conſiſtory,” remarks the author of the *Origines*, “made it neceſſary to change the forms and circumſtances of eccleſiaſtical proceedings, to introduce ſuch new officers as were

*Episcopacy Affirmed*, § 1.  
Works, Vol. VII.  
p. 268.

Preface to *Vade-Mecum*, p. lxxii.

Bingham  
*O.E.* B. II. c. 111.  
s. 5. c. VII. s. 5.

*Origines Anglicanae*, Vol. II.  
chap. III. p. 64.  
William I. *Ann.*  
MLXXXV.

(<sup>1</sup>) See *Capitul. Regis Carolomanni* (*A.D.* DCCCLXXXIII.) cap. 7. apud Thomaf. *V. et N. E. D.* Tom. I. P. II. L. I. c. v. p. 225. II.

(<sup>2</sup>) This ſeparation was made by William I. But before that period, and, it may be, from the firſt introduction of Chriſtianity, the biſhop, both in England and elſewhere, had a ſeparate court for matters purely ſpiritual, diſtinct from the ſecular courts. This is ſhewn by the tenth anſwer of *The Dialogue of Ecgbert* (*A.D.* DCCXXXIV.), in Wilkins; by *The Eccleſiaſtic Laws of Hoel Dda*, L. II. c. xxviii. (*A.D.* DCCCXLIH.); and by the ſeventh of King Edgar's *Canons* (*A.D.* DCCCCLX.). Indeed, from the latter may be inferred the exiſtence, in the tenth century, of a ſubordinate eccleſiaſtical court inveſted with a delegate power from the biſhop, the final referee of appeal. “*Docemus etiam*,” ſays Edgar's canon, “*ut nullum negotium, quod inter ſacerdotes eſt, deferant ad iudicium ſæculare, ſed componant ac pacificent illud proprii illorum ſocii, vel transferant ad episcopum, ſi opus fuerit*.”—which may be conſidered as preparing the way for the “*Juſtitia Episcopii*,” the judge deputed by the biſhop, or the biſhop's ſpiritual law, the “*Decanus*,” or “*miniſter episcopii, cum clericis ſuis*,” of Edward the Confeſſor's laws, the ſuperintendent of the rural clergy in chapter aſſembled.

*CC. M. B. et H.*  
Vol. I. pp. 84,  
212, 225.

See Johnſon's  
*Ecclef. Laws*,  
note, MLXIV.

needful to convene and cite the parties concerned to attend the process, and to execute the sentence; and that, the better to suit the conduct of church affairs to those of the state, and make this new establishment to answer the ancient division of the kingdom into counties and hundreds, the bishops of England did, about the year MLXXXV, divide their dioceses into archdeaconries and deantries, and, to fit theirs to the branches of the civil authority, took the archdeacons, the urban, and rural deans, into a share of their jurisdiction, and fitted their titles to, or rather borrowed them from, the district they assigned them; and that hence it came to pass, that the archdeacons, whose courts were to answer those of the county, had usually the county for their district, and their titles from the district in which they acted: and the names of rural deantries seem to be taken from the hundreds, and were, and generally are, the same to this day."

It is not unlikely, Dr. Inett allows, that the personal services of the bishops, as barons, might have some influence upon this affair in England. "But whatever effects the laying aside *billan bishops* may have had in other western nations, there is no visible reason to believe that it had any influence on the English church; for that church was not founded till the inconvenience of the authority exercised by the *chorpiscopí* was become visible, and provided against by the canons of the Christian church; and that office was never received in England till after the Norman conquest<sup>1</sup>; and then the introducing

*Origines Anglicanæ*, Vol. II. chap. III. § XVI. p. 64.

*An Historical Account of Church Government* &c. c. IV. p. 92.

(<sup>1</sup>) And yet Bishop Lloyd of St. Asaph observes, in his notice of Patrick's conversion of the Irish nation, his ordination of thirty bishops, and Nennius's



the authority of rural deans was so far from having its beginning from the ceasing of the office of suffragans to

Nennius's tale (see *Scriptores* xv. p. 113. cap. LIX.), whereby they are increased to three hundred and sixty-five &c., that "perhaps the meaning might be, that beside those thirty bishops which Patrick ordained for the bishops' sees, he also ordained as many suffragans as there were rural deanries, in each of which there were eight or nine parish-priests, taking one deanry with another. If St. Patrick would so far consult the ease of the bishops, or the people's convenience, he might do it without altering the species of the church-government." But on the truth of this tale of St. Patrick, see Dr. Maurice's doubts in his *Defence of Diocesan Episcopacy* in answer to Clarkson, pp. 153, seqq.; also Ledwich's *Antiquities of Ireland*, pp. 82, 83. and Jamieson's *Account of the Ancient Culdees of Iona*, pp. 335, seqq. And although Holinshed says of the office of "the cathedrall deane," that it was "a calling not knowne in England before the conquest;" yet both the chronicler and the author of the *Origines* are, probably, mistaken. Of the existence of the cathedral dean before the conquest there can be no doubt. And the following passage from Mabillon's *Benedictine Annals* makes the chorepiscopal institution more ancient in our island than has been generally supposed. "*Non longè à loco ubi stetit Sancti Petri monasterium extra civitatem Cantuariæ, in parte itidem orientali, exstabat vetus Sancti Martini ecclesia, ubi Augustinus sedem suam primitus fixerat. Istic episcopus, verius chorepiscopus, institutus fuit, qui vices archiepiscopi absentis in omnibus gerebat, et monachos sibi ex majori ecclesiâ, monachus ipse, in obsequium assumebat. Idem solemnitates in sede metropolitana celebrare solitus, archidiaconi etiam officium agebat, clericos archiepiscopo subjectos corripiens et emendans: cum prior seu decanus majoris ecclesiæ eos, qui in ecclesiis sibi subditis debebant, corrigeret.*" *Annales Benedictini*, Lib. x. xvi. Tom. i. p. 274. See also *Acta Benedict. secul. vi.* Pars ii. p. 656. note (a), from Gervasius Doroberniensis in *Actis Pontificum Cantuar.* cap. de Egelnotho, and Battely's *Cantuar. Sacra*, Pars iii. pp. 131, seqq. Gervase says, that "formerly the archbishop of Canterbury had a chorepiscopus, who resided in the church of St. Martin without Canterbury, whose office upon the coming in of Lanfranc was abolished, as we hear it was done in all parts of the earth. *Decem Scriptor.* col. 1650. As

*The Description  
of England,  
B. II. c. i. p. 135.*

Lanfranc



diocesan bishops<sup>1</sup>, that, in all probability, the general settlement of archpresbyters, or rural deans, and suffragan bishops in England, were usages derived from the same original and much of the same date, and had their beginning from the separation of the ecclesiastical from the civil courts, and the variety of causes occasioned by the subtilties of the canonists, and the prevailing power of the clergy, which drew so much business into their hands, as made it impossible for the bishops to attend all the parts of the ecclesiastical jurisdiction. And, though some advances were made towards this change, in the latter end of the eleventh, and in the beginning of the twelfth century, yet, it seems probable, it was never generally settled in England, till the latter end of the thirteenth, or the beginning of the fourteenth."

"At least thus much is evident, that whereas neither the name nor the office of the suffragan bishops are to be found in the canons or histories of the English church before the conquest, and but very little of them for above an age after; from the latter end of the thirteenth and the fourteenth century, down to the Reformation, our histories are everywhere full with their names and offices: and there is scarce a registry in any bishop's office, that does not afford us light enough to ascertain

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Lanfranc came into England with William I., it is clear, the *choræpiscopal* office was of earlier date than the conquest. Lanfranc refused to consecrate any more bishops of St. Martin on account of their scandalous poverty. See *Brit. Magaz.* Vol. II. p. 345.

(<sup>1</sup>) *Deans* rural exercised jurisdiction in Normandy before the Duke of Normandy became king of England. See *Concilia Rotomagensis Provinciæ*, Part I.

the names and the powers of their respective suffragan bishops<sup>1</sup> and rural deans."

"But whenever archdeacons and rural deans were introduced," he elsewhere adds, "we certainly do not hear much of them till the usurpations of the bishops of Rome gave reputation to the canon law, and brought every thing into the consistory, that either was really, or could be pretended to be, fit for the cognifance of the church."

With all respect to Dr. Inett, I subjoin the fact, that, at the first adoption of the dean rural in Ireland (A.D. MCLII.), it is expressly stated that he succeeded the chorepiscopus:—the villan prelates and such as occupied smaller sees being removed, the churches, which had previously been the seats of the prelaties, were made the capitals of deanries, and archpriests instituted in them by the bishop in lieu of chorepiscopi.

In the twelfth century, the subscriptions of rural deans to documents are by no means uncommon. Among the attestations of some ancient charters connected with the deanry of Craven in Yorkshire, Dr. Whitaker notices,

(<sup>1</sup>) Dr. Pegge, who distinguishes between chorepiscopi and bishops in *partibus infidelium*, says the latter commenced about A.D. MCCCXXV, and were instituted to assist archbishops and bishops in large dioceses, and to perform all prelatical duties in exempt monasteries. The diocesan bishops, either for their own ease, or because of their necessary absence in embassies, or attendance at court &c., procured them to be consecrated, to reside in their stead. And the monasteries did the same, making some of their own order bishops by the aid of the Pope, and thereby keeping aloof from the jurisdiction of the diocesan. See *A List of the Suffragan Bishops in England*, by the Rev. H. Wharton, in Pegge's *Account of Suffragans*, pp. 29, seqq.

*Ejusd.* p. 66.

*CC. M. B. et H.*  
Vol. I. p. 547.  
*H. D. R. P.* IV.  
Appendix.  
Irish Documents,  
Diocese of  
Meath.

*Hist. of Craven,*  
p. 481. Edit. 2.

*Letter to Du-*  
*carel.* p. 23. *Bibl.*  
*Topog. Brit.*  
No. XXVIII.  
*Strype's Life of*  
*Cranmer*, p. 36.

*Hist of Norfolk,*  
Vol. v. See Du-  
ration of Office.

*History of Man-  
chester, Vol. II.*  
p. 381.

in the year MCLXXXVI, a Dean of Craven who was rector of Arncliffe; and, about half a century earlier, the same rural dignity and title, enjoyed by a rector of Kettlewell. A rural Dean of Thetford in Norfolk is recorded by Mr. Blomfield in the year MCLXXV.<sup>1</sup> But these are dates of yesterday, in comparison with that assigned to the primary Decanal institution of the north of England by the Historian of Manchester:—"Greatly is the learned Bishop Kennett mistaken," says the Fellow of Corpus Christi College, "in supposing the office of the archdeacon to have been less ancient than that of the Dean. The one was just as ancient as the other. As greatly mistaken is he, in his attempt to magnify the antiquity of rural Deans; when, unfaithful to his own design, he dates the commencement of them some time subsequent to the reign of Alfred. And his antagonist, Mr. Johnson, has wandered still farther from the truth, in his contrary design to lower their antiquity, when he reduces it even to the eleventh or twelfth century. The rural Dean was constituted at the same time with the parish priest; and Lancashire was partitioned into Deanries very early in the seventh century."

*Ejusd. p. 393.*

The latter asseverations, be it remembered, stand proofless in the historical references of the antiquarian: and glad as we should be to discover, there or elsewhere, evidence of the facts asserted, we cannot but doubt, in

(<sup>1</sup>) My antiquarian friend, Dr. Sutton of Norwich, informs me that the earliest *collation* of a Dean to Thetford was in the year MCCCXVIII, in the person of John Northstrete. Dr. Sutton has examined the books of Institution, and finds Blomfield to have been led into error by Martin's *MS. History*. There may have been *admitted capellanes* before, but not *collated Deans*. 2d Edit.

the absence of such, the existence of deans rural in England at the period alluded to.

The archdeacon, in my humble opinion, claims a *higher* antiquity here, than the archpresbyter rural. The latter appears not till the eleventh, or, at the very earliest, the tenth century,—supposing, that is, with Brewster, the *præfectus episcopii* of Edgar to be the dean rural. Whereas archdeacons had existence long before; though the sort of jurisdiction they exercised be problematical. By the one hundred and seventh canon of the *Excerptions* of Egbert (called *A.D.* DCCL.), they are charged to see that prisoners have relaxation on Sundays. But, this being an Orleans canon (*A.D.* DL.), and added to the *Excerpta* we know not when, may be objected to as evidence. Not so the great council of Baccancelde, under Cynewulf, king of Wessex (*A.D.* DCCXCVIII), where an archdeacon (Wilfredus) is the last of the subscribers. Mr. Somner notices seven archdeacons of Canterbury in the ninth century: and, from *the Laws of the Northumbrian priests*, it is evident that the office was then (*A.D.* DCCCCL) one of importance; during the whole of which period we have no traces of the rural dean's existence in our island.

*CC. M. B. et H.*  
Vol. i. p. 107.

*Ejusd.* p. 162.

*Antiq. of Cant.*  
Part. IV. c. IV.  
*CC. M. B. et H.*  
V. i. p. 218.

*SS. CC.* Tom. VI.  
col. 539.  
*A.D.* DLXVII.

On the continent, it is true, in the Gallican church, there are much earlier notices than with us: but no where, I believe, antecedent to archdeacons. See Bingham's *Ecclef. Antiq.* B. II. c. XXI.; Atterbury's *Rights and Powers* &c. pp. 321, 322.; and Brett's *Church Government and Governours*, cap. ix. pp. 180, seqq.; and, on the other side of the question, whereby the antiquity of the archidiaconal jurisdiction is reduced below the conquest, see Nicholson's *Preface to the Scottish Historical Library*,

*Scottish Historical Library*, in  
Preface, p. XXII.  
*Eccles. Cases*,  
Vol. I. p. 146.

pp. xxi, seqq., who doubts the authenticity of the signature of Wilfrid above referred to, and affirms the *Northumbrian canons* to be “younger than they seem to be, and borrowed from abroad; being only dressed up (*à la mode d’Anglois*) with Saxon penalties and mulcts.” The learned archdeacon of Carlisle is decidedly opposed to Atterbury’s statements in his *Rights and Powers &c.*, and roundly asserts, “that no archdeacon ever exercised any jurisdiction in England till some time after the conquest; that is, till the canon-law was established here:”—in which opinion, he is supported by Bishop Stillingfleet. But the antiquity of this office is not the object of our inquiry: let it suffice that, in the opinion of the best ecclesiastical antiquaries, it was a creation of the third century of the Christian Church. See Bingham *O. E.* ubi suprâ. Bishop Gibson’s *Codex I. E. A.* Vol. II. Tit. XLII. cap. VIII. p. 969, of *Archdeacons*, and Mr. Nelson’s *Companion for the Festivals and Fasts*, p. 387.



# Horae Decanicae Rurales.

## PART III.

### The Election and Institution of Deans Rural.

#### SECTION I.

##### THE RIGHT OF ELECTION.



WE proceed to a most important division of our subject—the authority by which rural deans are constituted in the church—to whom do they owe their primary institution?—Upon this question their titular distinctions in ancient councils, capitularies &c., will throw some light, as far as the usage of the Western church is concerned; while, in respect of the East, it has been again and again stated, that the institution to the primary *chorēpiscopā*, and to the secondary *periōdēutal* offices, was exclusively vested in the diocesan bishop. The *chorēpiscopī*, at first, and the *periōdēutā*, afterwards, were appointed by the prelates to whom they were ancillary—the latter deputies being the deans rural of the Eastern church. Nor did the case, essentially, differ in the West. Sharers, from their first establishment, in the administration of ecclesiastic jurisdiction and discipline, their names in the Latin church point out their ministerial relation to the bishop, as the person from whom their delegated powers originally emanated.

See Priaulx's  
*Brief Account*  
&c. p. 2.

Beveregii *Synodici*. Tom. II.  
Annot. p. 198.  
*Ad Can. Lao-*  
*dicens*. LVII.

SS.CC. Tom. IX.  
col. 695. 826.  
Wilkins LL.  
Anglo-Sax. et  
Civ. p. 197.  
CC. M. B. et H.  
Vol. I. p. 506.

Southey's *Book  
of the Church*,  
Vol. I. c. VI. p. 84.

Dr. Field of the  
*Church, Booke v.*  
SS.CC. Tom. VI.  
col. 536.

On meeting with the designations — “*Episcoporum ministrii adjuutores*” (capit. III. Ludov. Pii, A.D. DCCCXXVIII.) — “*Episcoporum ministri*” (Concil. Aquifgran. II. c. IV. A.D. DCCCXXXVI.) — “*Minister*,” “*Sacerdos*,” “*Decanus Episcopi*” (LL. Edward. A.D. MLII.) — “*Decani vel archipresbyteri ad agendas vices episcoporum*” (Concil. Turon. can. VII. A.D. MCLXIII.) — “*Decani constituti sub episcopis*” (Concil. Londin. A.D. MCC.) &c. &c., in reference to rural deans or archpriests, we cannot hesitate to connect their appointment and employment with the bishop. Still it appears, from the earliest records of the office that have come down to us, in the West, that these functionaries were originally *chosen* by their own clergy, subject to the bishop’s approval, and were only indebted to the latter for their *confirmation*—an act which he might execute or not, at his own pleasure. And when their institution had been ratified by the diocesan, they could not subsequently be displaced by him, according to the seventh canon of the second council of Tours (A.D. DLXVII.), without the joint consent of the electors. Such, at least, is the Dean of Gloucester’s interpretation of the canon, “*Ut episcopus nec abbatem, nec archipresbyterum, sine omnium suorum compresbyterorum et abbatum consilio, de loco suo præsumat ejicere, neque per præmia alium ordinare, nisi facto concilio tam abbatum quam presbyterorum suorum, quem culpa aut negligentia ejicit, cum omnium presbyterorum consilio refutetur;*” and he extends it to our rural functionaries. See also can. XI. (*ex synod. incerti loci* A.D. DCXVI.) SS.CC. Tom. VI. col. 1395.<sup>1</sup>

(<sup>1</sup>) This canon also inhibits the appointment of archpriests *per præmia* (simoniacally) both spiritual and laical :—for sometimes it seems the latter were

How long such a power of electing and continuing archpriests in office remained with vican or rural presbyters is unknown;—probably, for no long period: though the privilege of recommending to the bishop, and, in some places, even of nominating persons eligible to the duty, has been permanently exercised by them. Be that, however, as it may, it is quite clear, on the authority of Isidore, that about the year DCXXXIII of Christ the archipresbyteral office of the country was *elective*; the *electors* being, by *delegation*, the archdeacon, clergy, and people: “*Si in plebibus archipresbyteri obierint, aut pro aliquo reatu exinde ejecti fuerint, archidiaconus (speciali auctoritate episcopi—nisi hoc habeat de consuetudine præscriptâ, gloss.) quanto ocius proficiatur illuc, et cum clericis, et populis (al. presbyteris, in marg.) ipsius plebis electionem faciat; quatenus dignus pastor domui DEI constituitur; et dum ordinatur, ejus providentiâ ipsa plebs custodiatur.*” And the same may be inferred from

Decret. P. I.  
Dist. I.XIII.  
c. XX.

were instituted:—“*Ut abbates, vel archipresbyteri, absque culpâ de ecclesiastico ministerio removeri non debeant: nec per præmia nullus abbas vel archipresbyter ponantur. Quod si quis facere præsumperit, communione privetur. Nec sæculares archipresbyteri ponantur. Forfitan si talis fuerit, quem pro merito personæ in solatium ecclesiæ pontifex necessarium esse judicet, ut sine ejus defensione paræciani illi se defensione non possint.*” But laical archpresbyters are forbidden by the nineteenth canon of the council of Rheims before cited (A.D. DCXXX.)—“*Ut in parochiis nullus laicorum archipresbyter præponatur: sed qui senior in ipsis esse debet, clericus ordinetur.*” And see also can. XVI. (*ne Decanatus rurales pro pretio conferantur*) of the Council of Rouen (A.D. MCCXIV.)—“*Inhibemus ne Decanatus rurales ad tempus vel in perpetuum pro pecuniâ vel aliquo pretio conferantur alicui, sicut statutum est in conciliis Lateranensi et Turonensi: eos qui contra hoc venerint decernentes, præter pœnas in conciliis comprehensas, juxta prælatorum arbitrium, gravi pœnâ puniendos.*” And can. XXIV. (A.D. MCCXXXI.)

SS. CC. Tom. VI.  
col. 1395.

SS. CC. Tom. VI.  
col. 1435.

Concilia Roto-  
magenfis Pro-  
vinciæ, Part I.  
p. 113.

p. 136.

SS. C.C. Tom. IX.  
col. 1164.

the council of Cisalpine bishops, held for the settlement of ecclesiastical discipline, at Pavia (*A.D. DCCCLV.*); which admits the people as co-electors—(unless “*electionis consortium*” mean no more than the presence of the people for suffrage of public testimony, and not of formal choice)—and, like the council of Tours before cited, disallows the displacement of archpriests by the bishop, after institution, except for criminality, or ill-usage of the churches under their administration—a curious exemplification of which is afforded in the conclusion of the following extract: “*Sauè remouenda quorundam laicorum procacitas, qui hoc solo obtentu, quòd ad electionis consortium admittuntur, archipresbyteris suis dominari præsumunt: et quos tanquàm patres venerari debuerunt, velut subditos contemnunt. Hi igitur intra proprii juris terminos sunt redigendi, et si extraordinariam dominationem in ecclesiis exercere præsumpserint, regià sunt disciplinà coercendi. Ipsi verò qui ad gubernandas plebes legitimè prorecti sunt, nullatenus à suis episcopis repellantur, nisi aut in alicujus criminis reatu incidierint, aut easdem plebes malè tractaverint. Tollenda est enim prava omnino consuetudo, quæ in quibusdam locis oriri cæpit: quia nonnulli archipresbyteri vel aliorum titularum custodes, fruges, vel aliarum ecclesiarum redditus, ad proprias domos abducunt. Quidam vero aliorum possessiones conducunt, ut in eis quæ ab ecclesiis suis malè subtraxerunt recendant, &c.*”

Such authority of election, exercised by these parties, was, probably in all cases, by special permission of the bishop; as it is, wheresoever prevalent with the clergy of the present day; the diocesan possessing a clear negative on the election in the privilege of confirming or superceding it. And to the same concession, originally,

may be assigned the elective character of the urban or cathedral dean; who, at his first institution, was nominated out of the college of presbyters by the bishop alone, as his vicarious superintendent in the episcopal church; but subsequently became independent of the bishop, as far as election went, and only beholden to him for a ratification of the chapter's nomination. By which early grant, the urban archpriest's appointment was lost in perpetuity to the diocesan:—not so, however, the dean rural's; which, if at any time surrendered to an inferior constituency, was generally again recovered at the will, and exercised at the discretion, of the bishop, with or without archidiaconal, clerical, and popular interference, at his personal choice, he having *de jure* “the *sole*ship of election;” although, in modern days, we have heard of archdeacons *prescribing* (?) against their bishop in the exercise of this branch of his authority.

Of the parochial laity, as joint electors, we hear nothing after this date; nor is it probable that such a power, seeing, in the fore-cited Pavian council, the abuse to which it was liable, was long entrusted to their hands. But archdeacons, having grown up to a permanent participation of other episcopal duties, seem to have continued thence forward (*viz.* from the days of Isidore) sharers also — by *sufferance*, I should say, rather than *right* of office (for how could any archdeacon *prescribe* against his bishop?)—in the appointment of rural deans in many dioceses. For which intervention, more or less at all times dependent on custom, an early sanction is alleged in the thirteenth canon of Hincmar's *Capitula*, addressed to his archdeacons Guntar and Odelhard, (*A.D.* DCCCLXXVIII.); wherein the archbishop enjoins the

Gibbon's *Codex*  
*I. E. A.* Vol. II.  
Tit. XLII. cap.  
VIII. p. 971.



Hincmari Opera,  
Tom. I. p. 738.  
SS. CC. Tom. X.  
col. 25.

latter officers to proceed to the election of *Decans* with due consideration, and to constitute them *conditionally* in case of his absence,—reserving to himself the power of *confirmation* or *deprivation*, as he might deem expedient, on being made acquainted with their choice. “*Si Decanus in ministerio vestro,*” says he, “*aut negligens, aut inutilis et incorrigibilis fuerit, vel aliquis eorum obierit, non inconsideratè Decanum eligite. Et si ego in propinquo sum, ad me illam electionem referte. Et si ego in longinquo sum, Decanum illum qui electus est interim constituite, donec ad meam notitiam electio illa referatur, ut meâ constitutione aut confirmetur, aut immutetur.*”

Arnulphi Lexo-  
vientiſis Episcopi,  
Epist. XXVII.

A letter of Arnulph, bishop of Lisieux, gives the archdeacon the right of presenting the archpriest to the bishop, who had the power of refusing him institution, if he thought him unworthy of the office: but, at the same time, he could not proceed, against the will of the archdeacon, to a second institution; “*cùm ei in archidiaconatu suo alius quodammodo archidiaconus annascatur.*”

Antiquitates  
Medii Ævi,  
Tom. VI. col.  
436. 440.

Nor was the bishop's reservation of a *reto* upon the election less marked, in cases where the clergy enjoyed, by custom or constitution, a delegated power of choice. Witness in the church of Ferrara: where, though the “*constitutiones*” of the “*parochi*” of that state, confirmed by the bishop (A.D. MCCLXXVIII.), give to the subject “*capellani*” of the “*parochia*” the privilege of electing their own archpriest, or, as he is denominated in the gloss of Muratori, “*caput congregationis parochorum,*” (provided, that is, they made their choice within fifteen days from the date of a vacancy by death); yet the statutes reserve to the diocesan a *reto* on presentation. And, supposing the parochial incumbents, here called

capellanes, not to comply with the instructions passed “*pro sue congregationis regimine*,” in this particular, the elective capacity devolved on the bishop—“*quum archipresbyter viam carnis ingressus fuerit uniuersæ, capellani infra quindecim dies proximos futuros archipresbyteri electionem facere teneantur, ipsam electionem confirmandam aut infirmandam nostro domino Ferrariensi episcopo præsentantes: alioquin præfata electio ad ipsum dominum episcopum devolvat.*”

So great, however, was the ascendancy and influence which archdeacons had attained in these appointments in the twelfth century, and so subordinate the decanal to the archidiaconal functions, that in a canon of the great Lateran council (*A.D.* MCLXXIX.) under Alexander III., regulative of the visitatorial expenses of rural deans and higher dignitaries, the former are specifically denominated, from their subjection, “*decani constituti sub archidiaconis* :”—which subjection is repeated and made absolute by the decretal epistle of Pope Innocent III. (*A.D.* MCCXIV.)—“*Archipresbyteri, qui à pluribus decani nuncupantur, (that is, rural deans, for deans of cathedral churches were never subject to archdeacons—Dr. Brett) archidiaconi<sup>1</sup> jurisdictioni se noverint subiacere* : and, yet farther,

*SS. CC. Tom.*  
*XIII. col. 419.*  
*can. IV.*

*Decret. Gregor.*  
*IX. L. i. Tit.*  
*XXIII. VII.*  
*Account of*  
*Church Go-*  
*vernment, &c.*  
*cap. VIII. p. 183.*

(<sup>1</sup>) “*Statuimus et præcipimus quod omnes presbyteri et decani rurales obediant archidiaconis suis in omnibus licitis et honestis, eorum jura et nostra obseruent et faciant obseruari. XIV. 1. Statuta synodalia ecclesiæ Leodiensis,*” *A.D.* MCCLXXXVII.

“*Ordinatio vicariæ de Pyryton cujus eccl’ia appropriatur abbatiæ de Tewkesbury, MCCCCL.—Item dictus vicarius et successores sui inuenient et exhibebunt unum decanum ruralem ad deservend. Ordinarius loci in decanatu de Powlett quotiens hujusmodi onus ad dictam eccl’iam juxta consuetudinem d’cti decanatus evenire contigeret.*” *Reg. Well.*

*SS. CC. Tom.*  
*XIV. col. 1134.*

*W. K. Wils. Add.*  
*Par. Antiq. V. II.*  
*p. 351.*

confirmed by the reply to the question, "*Utrum decani rurales, qui pro tempore statuuntur, ad mandatum tuum solum, vel archidiaconi, vel etiam utriusque, institui debeant vel desitui, si fuerint amovendi*"?—To which the papal answer is:—"Ad hoc breviter respondemus, quod cum ab omnibus, quod omnes tangit, approbari debeat; et cum commune eorum (i.e. of the bishop and archdeacon) decanus officium exerceat; communiter est eligendus, vel etiam amovendus."

Whitaker's *Hist.*  
of *Manchester*,  
Vol. II. B. II.  
c. IX. § III.  
p. 383.

*Provinciale*,  
L. II. T. I.

L. I. Tit. II. gl.  
v. decanos ru-  
rales.

L. III. T. XXII.  
gl. v. decanorum.  
L. I. Tit. II. gl. v.  
eorum vices.

L. II. T. I. gl.  
in v. decanos.

*Conf. Dom.*  
*Othon. de VII.*  
*Sacram. gl. in v.*  
*Decanatum*  
*fuorum, p. 10.*

Though equally an ordinary, equally a prelate, with the archdeacon and bishop, the decan rural of England, as well as the continent, was subordinate and ministerial to both—being early and repeatedly called the decan of the archdeacon and bishop. Wherefore the doctrine of the Roman rescript is transferred by the bishop of St. David's to his *Provinciale*: "*Dicit Innocentius*," observes Lyndwood in his commentary in v. decani rurales, "*quod sunt persone habentes quedam officia communiter spectantia ad episcopum et archidiaconum, et ideo communiter eorum receptio et amotio pertinet ad utrumque*:"—in another place he calls them "*decani temporales ad aliquod ministerium sub episcopo vel archidiacono (al. archiepiscopo) exercendum constituti*:"—in a third, "*qui sub archidiacono quandoque certum ministerium habent*:"—in a fourth, "*vicarii episcoporum et archidiaconorum (al. archiepiscoporum)*:"—in a fifth, "*ministri tam episcoporum, quod archidiaconorum, (non tamen aliorum ordinariorum)*." And to the same purpose speaks the glossary of John de Athon on the *Legatine constitutions* of Otho:—"Decanatus rurales, et per consequens decani ibi, præfecti sunt ipsorum archidiaconorum; sed certè salvâ consuetudine locorum tam præfici debent decani tales, quàm etiam, amoveri, per episcopum et per archidia-

*comum simul de jure ;*”—where, says Gibfon, the clause, “*salvâ consuetudine locorum,*” explains the gloss (“*secundum consuetudinem loci*”) on the word “*communitèr,*” in the foregoing constitution of Innocent III. See *Summa Silbestrina*, P. I. de *Archidiacono*. 9. fol. xxxviii. and Hostiensis de *Offic. Archidiaconi*, Tom. I. fol. cxvi. The latter of which commentators seems to have correctly interpreted the text as of local and not general application—“*secundum consuetudinem Franciæ*”— . . . . . *in aliquibus ecclesiis constituntur tales decani per episcopum et archidiaconum communitèr ad quedam officia eis communitèr exercenda : nec instituuntur in aliquâ ecclesiâ nec confirmantur : immò quasi ministeriales et officiales sunt utriusque, et pro magnâ parte non constituuntur perpetuò, sed ad tempus. Ubi ergò talis vel similis non est consuetudo, hoc quod ibi dicitur non vindicat sibi locum.*”

Nor does Atterbury's interpretation of the canon law in reference to English usage differ from that of the Cardinal, Lyndwood, Gibfon, and others. Ever since the first-cited letter from the Roman see, the bishop of Rochester affirms, the archdeacon's authority has intervened, with that of the bishop, (as in the diocese of Exeter,) towards appointing deans rural; except where, by grant, composition, or custom immemorial, things have been otherwise ordered; as the case was in the diocese of Canterbury, where, thirteen years after the date of this rescript, a special grant was made to the

*Codex I. E. A.*  
Vol. II. Tit. XLII.  
cap. VIII. p. 971.

Hostiensis *super*  
*primo decretal.*  
Tom. I. fol. CXVI.  
col. 3. & Panor-  
mitan. Tom. II.  
p. 70.

*Visitation*  
*Charge to the*  
*Clergy of Tot-*  
*ness, MDCCVIII.*

(<sup>1</sup>) “*De droit commun,*” says Les Loix Ecclésiastiques de France, “*les Doyens Ruraux dépendent de l'archidiacre et de l'évêque, qui doivent les élire et les déposer conjointement ; (mais il y a des diocèses où l'évêque nomme seul les Doyens Ruraux ; d'autres où ils sont élus par les curés du Doyenné, qui les présentent à l'évêque).*”

*Analyse des Dé-*  
*cretales, Titre*  
XXIII. Part I.  
p. 73.



Somner's *Antiquities of Canterbury*, P. I. Appendix, No. LX. p. 66.

No. LIX. p. 65.  
See *Appendix to Supplement*, Part II. p. 60.  
Brett's *Account of Church Government and Governours*, c.X. p. 188.

T. D. Whitaker's *Richmondshire*, Vol. I. p. 31.  
Mss. Lodge's *Book Diocæs. Registr. Gestr.* p. 1.

archdeacon of the *institution* and *destitution* of rural deans by Stephen Langton, the archbishop, in the following words—previously revoking his own official's appointment of them *ex consuetudine*— . . . . “*Statuimus ut archidiaconi Cant. qui pro tempore fuerint decanos constituent, et amoveant pro sue voluntatis arbitrio, prout melius viderint expedire in Dioc. memoratâ, et sibi respondeant sicut decet, cum absurdum sit, ut alius eos constituat quàm is qui eis debeat præesse, et cui respondere tenentur, præsertim cum ipsis (decanis) referentibus, corrigere debent (archidiaconi) cæterorum errata.*” And in a personal grant to Archdeacon Hubert by Archbishop Wethershead (surnamed Le Grand), two years afterwards, the “*institutiones et destitutiones decanorum*” are continued; but with the saving clause, “*præhabito consilio nostro.*” The archdeacon of Canterbury had not lost this privilege in the latter end of the seventeenth century;—for it is said, that when Archbishop Sancroft would have nominated rural deans in his diocese, he was opposed by his archdeacon, Parker.

Again, before the foundation of the see of Chester, the archdeacons of Richmond and Chester<sup>1</sup> (while their jurisdiction was so preposterously extensive as it was—each indeed having an unlimited ordinary jurisdiction in his own archdeaconry) could appoint their vice-archdeacons and rural deans at pleasure, and remove them

(<sup>1</sup>) On the extinction of the two jurisdictions, the endowments which had been attached to them from the twelfth century were transferred to the episcopal see, with this *proviso*, that there should still continue two *titular* archdeacons, with yearly stipends of 50*l.* each, out of the old revenues.



without rendering a reason. And to shew the irrefragable power of the archdeacons within their archdeaconries, the rural deans constituted by them could not be called upon to attend the archbishop's courts, nor could aids be imposed, nor a church, nor clerk be suspended by the metropolitan within their limits. This is particularly recorded in the old *Lieger* or *Voucher* of the archdeaconry of Richmond, in reference to that archdeacon:—"Item archiñus ponet suâ auctoritate vice archiñ et decanos in suo archiñatu quoscunque voluerit et amovebit et deponet eos sine omni contradictione. Præterea verò vice-archiñus et decani non tenentur venire ad placitu archiepiscopi nisi sponte voluerint, &c." (*Ex transcripto Vet. Libr. vocati the old Lieger or Voucher &c.*) And the same obtained with regard to the archdeacon of Chester.

But in Ireland, two years after the promulgation of the fore-cited papal epistle of Innocent III., we find the bishop of Meath still retaining, and enforcing, the exclusive right of nomination to rural archipresbyterates; "*vacante per mortem, aut alio quovis modo archipresbyteratus officio, eligendus est per nos, aut successores nostros successor, quia jurisdictionem suam à nobis haurit.*" In the diocese of Melun (*A.D. MCCi.*), Innocent III. continued to the bishop the institution and destitution of deans-rural, independent of archidiaconal interference, though the ruling deacons formally laid claim to it, "*asserentes quòd, eis inconsultis, non licet aliquem instituire in decanum:*" while the bishop of Melun affirmed, on the other hand, that the appointment and removal of these officers, throughout the diocese of Melun, had *ever* been granted by the papal see to *his* predecessors. The dispute ran high;

*Libertates archi-  
diaconatus Rich-  
mondiae, MCC.  
Wils. penes Re-  
gist. diocef.  
Cestr.*

*CC. M. B. et H.  
Vol. i. p. 547.*

*Præclara Eccles.  
Disciplin. Mo-  
nument. ad cal-  
cem Theodori  
Pavimental.  
pp. 720, 721. Ex  
Chartulario  
Ecclesie Mel-  
densis.*

and the parties having assembled at the cathedral of Melun, for the sake of settling it, the pope decreed, with the consent of the bishop and archdeacons, "*pro bono pacis*," "*quod rurales decanos Meldensis episcopus, archidiaconis inconsultis, possit eligere, instituere, et mutare, salvâ tamen fidelitate quam de conservando jure archidiaconorum consueverunt præstare*." Usage always ruled the point. In the diocese of Poitiers (A.D. MCCLXXX.), Bishop Walter inhibits the retirement of deans rural from office without his permission; and therefore we may infer that he appointed them:—"Inhibemus archipresbyteris et decanis, ne recedant absque licentiâ nostrâ: et injungimus eisdem, quod antequàm recedant, scribant et nobis referant excessus factos contra jurisdictionem ecclesiasticam." In Ireland, again, (A.D. MCCCXXX.) during the vacancy of the see of Derry, Archbishop Swain being guardian of the same for the time being, conferred on Donat O-Kerulan, one of his sub-guardians, the rural deanry of Magthya, in the diocese of Derry, to continue during pleasure. And, at a much later period, in Italy itself, (between the two opposite precedents of Innocent III. quoted from the canon law, rescript against rescript,) Borromeo, the celebrated archbishop of Milan, appropriated to himself the right of election, on the occasion of establishing among his parochial clergy the spiritual supervisors termed vicarii foranei; whom he made amenable to himself alone, and amotive at his will and pleasure:—"Hi vicarii voluntate episcopi ab officio amoveri semper possint; ac si malè id administraverint, pœnas dent ejusdem episcopi judicio."

Such was their constitution, too, in the archdiocese of Salisburg (A.D. MDLXIX.)—"Rurales decani à suis episcopis consecuti cum autoritate officium et dignitatem, tales se

SS. CC. Tom.  
XIV. col. 270.  
can. X.

Harris's *Ware's*  
*Works*, Vol. I.  
p. 290. *Ex Re-*  
*gisfr. Swain.*  
Tom. I. p. 279.

SS. CC. Tom.  
XXI. col. 43.

Thomassin.  
*V. et N. E. D.*  
T. II. P. II.  
L. III. c. 76.

*Const. et De-*  
*cret. Synod. Sa-*  
*lisburg. Con.*  
XXV. cap. IV.  
pp. 121, 122.

*reddant, ut conceptæ de ipsis expectationi, et suo muneri, ac suorum episcoporum satisfaciant voluntati &c.*" And in our own country, about the same date, the archdeacon was entirely deprived of all participation in the appointment, unless perchance he happened to be the ordinary (which alone the bishop was *de jure*), when he was capacitated to appoint. It was not to be supposed that our Reformers would have much respect for papal edicts upon this or any other branch of polity; and accordingly, we find, that it was decreed by the compilers of the projected *Reformatio Legum Ecclesiasticarum* to this effect: "*Decanatus quilibet archipresbyterum rusticorum habeat, vel ab episcopo vel ecclesiæ ordinario præficiendum.*" But in the following chapter "*De Archidiaconis,*" these superior officers are enjoined to see that the archpresbyters duly performed their functions.

*De Ecclesiâ et Ministris ejus, illorumque officii, cap. v. p. 95. cap. vi. p. 96.*

In the provincial council of Cologne, under Archbishop Herman (*A.D. MDXXXVI.*), *pro reformatione clericorum et cærimoniarum ecclesiæ*, the twentieth canon gives to the archdeacons the sole power of election and admission:—"Archidiaconis nostris incumbit, ne ullos inidoneos officiales aut decanos rurales deligant aut admittant, sed ad has functiones viros tantum assumant, cum doctrinâ præstantes, tum vite innocentis inculpataeque, qui nullius criminis labe notabiles, officium suum irreprehensibiliter exerquantur." While, on the other hand, in direct variance therewith, the council of Malines (*A.D. MDLXX.*) enacts, cap. III. (*De Decanis Christianitum*):—"Archipresbyteri rurales in singulis diocesis pro discretionem episcoporum assumantur, qui possint pastoribus vitâ, consilio, et exemplo prodesse; et non pluribus præficiantur ecclesiis, quàm possint

*SS. CC. Tom. XIX. col. 1293.*

*SS. CC. Tom. XXI. col. 595. Synod. Prov. Mech. p. 43.*

*commodè regere ; ac sint arbitrio episcoporum amovibiles."*  
 But the cause of this *exclusive* jurisdiction being vested in the bishop may be, as suggested by Van Espen, that the entire archidiaconal power had in Belgium merged in the episcopal.

To the latter learned canonist we are indebted for the farther usages of the Belgian churches in reference to the appointment and constitution of this trust :—

Van Espen *Jur.*  
*Eccl. Univ.* P. I.  
 Tit. VI. c. 1. p. 29.

"IV. *Moribus Belgii passim obtinuit, ut non tantum episcopi soli pro suo arbitrio decanos rurales constituent, sed insuper libertas eis sit, quemcunque è presbyteris, quem huic officio maximè judicant convenire, eligere ; nec solet officium archipresbyteratus ulli determinatæ parochiæ aut dignitati, vel beneficio esse annexum."*

"*Similiter in potestate episcopi est, districtum decanorum vel extendere, vel limitare ; imò et unam decaniam sive districtum archipresbyteratus in plures dividere ; aut plures in unum conflare."*

"V. *Functiones quoque et potestas decanorum à commissione seu instructione, quam ab episcopis accipiunt, unice dependent : unde in litteris, quibus archipresbyter ruralis constituitur, inferi consuevit hæc clausula : archipresbyterum districtus N. te nominamus et deputamus cum facultatibus hujusmodi archipresbyteris concedi solitis ac consuetis juxta instructiones datas."*

Strype's *Annals*,  
 V. I. P. I.  
 c. XXVII. p. 479.

But to return to our own country :—In the year MDLXII, among the ecclesiastical regulations then intended, one was, "That in every deanry in the country, there may be constituted by the bishop, one grave and discreet priest, to be archipresbyter or decanus ruralis." Which act of constituting, by the canons of MDLXXI. (*Liber canonum &c. de archidiaconis*), supposes the previous

(C. M: B. et H.  
 Vol. IV. p. 264.



*recommendation of the archdeacon*<sup>1</sup>; “*peractâ visitatione, archidiaconus significabit episcopo, quos invenerit in quoque decanatu eâ doctrinâ et judicio præditos, ut digni sint, qui*<sup>2</sup> *pro concione doceant populum, (‘for preachers in those days were rare’—Gibson,) et præsent aliis. Ex illis episcopus potest delectum facere, quos velit esse decanos rurales.*”

Sparrow's *Collection of Articles* &c.

To the bishop the same power of nomination is continued by the fifth canon of *His Majesty's Declaration concerning Ecclesiastical Affairs* (A.D. MDCLX.): — “**Rural**

CC. M. B. et H. Vol. iv. p. 562.

(<sup>1</sup>) May I notice, at this point, a *formula* of the Romish Church in England, of the time of Charles the First, by which, Richard Smith, bishop of Chalcedon, appoints his archdeacon, and gives him the *power of electing* his own *Deans rural*?—The original document is stated to be in St. Gregory's seminary at Paris, by the author of *The Church History of England* (Dodd, I believe), whence I transcribe the following extract:—“ . . . . Quò verò clerus, et populus tuâ sollicitudine, curâ, ac diligentia, in viâ virtutis incedat, et bonorum operum fructus ubique profemines, volumus ut totum districtum tuum semel saltem in singulis annis in propriâ personâ visites; et duos vel plures presbyteros, viros idoneos, atque integræ et probatæ vitæ, in prædicto districtu tuo, eligas, qui munus decanorum ruralium obeant in locis intra districtum tuum à te præstituentis, præstòque sint rationem tibi continuo reddere de moribus presbyterorum, et prædictarum personarum laïcarum intra terminos tui districtûs degentium, seu commorantium. Quorum virorum, ita à te electorum, nomina ad nos destinabis, ut, literarum nostrarum vigore approbationem, et confirmationem consequantur &c.” Part vi. char. i. Book iii. art. iv. *Records of the Clergy*, p. 152.

See H. D. R. Vol. II. Appendix. Part. II. Sect. III. Diocese of London. & a Letter signed C. D. S. in the Roman-Catholic Magazine for August 1835.

(<sup>2</sup>) In the diocese of Winchester, the *Dean rural*, annually elected upon the old foundation, preaches two visitation sermons during his year of office; and the same custom obtained in the days of Atterbury (archdeacon of Totness MDCCVIII.), and still obtains, in the diocese of Exeter:—probably, in both cases, founded on this canon, which was interpreted as referring to *Visitation* sermons.

Atterbury's *Archidiaconal Charge*, MDCCVIII.



Burnet's *Life of Bedell*, p. 184.

*CC. M. B. et H.*  
Vol. IV. p. 538.

deans, as heretofore, to be nominated by the bishop of the diocese." While in the diocese of Kilmore, during the episcopate of the primitive Bishop Bedell, the old custom, of the clergy electing their own deans, returned : — "*Ut secundum pristinam et antiquam hujus dioceseos Kilmorensis constitutionem, in tribus ejus regionibus tres decani sint, ab ipsis ministris ejusdem decanatus eligendi, qui vitam et mores cleri jugi circumspectione custodiant, et ad episcopum referant, ejusque mandata accipiant, et, quoties opus erit, per apparitorem decanatus ad compresbyteros suos transmittant.*"

*CC. M. B. et H.*  
Vol. IV. p. 638.

In *The Proceedings in Convocation about Rural Deans* (A.D. MDCCX.), the Upper House seems to have been unwilling to admit the doctrine of Innocent's rescript, so often alluded to, but rather inclined to restore to the district clergy the pristine capacity of electing their own deans, subject to episcopal sanction alone. "That the clergy of every deanry, or the greater part of them, shall chuse a person qualified" (*i.e.* "beneficed within the deanry, as rector, vicar, or perpetual curate, resident upon his benefice or cure, of the elder and graver sort of the clergy, and a graduate in one of the two universities within this province" . . . .) . . . . "who shall be presented by the archdeacon or other ordinary to the bishop for his approbation; and when approved, shall be appointed by the bishop under his hand to execute the said office for the term of three years, unless cause should appear to the bishop for altering the said term."

The latter part of this projected canon was pertinaciously resisted by the Lower House, in their eagerness to advance the privileges of their own members, by

investing archdeacons with the joint-power of dismissing, as well as appointing, deans rural, according to the papal decree, and the glosses of John de Athon and Lyndwood on the *legatine* and *provincial constitutions*:—or, at least, they would have carried, as an indispensable amendment, that the archdeacon's consent should be first obtained, before the bishop proceeded to the authoritative act of displacement.

On the continent, ten years after this convocational war about the rural-decanal constitution in England, the council of Reussen issued the decree following, without noticing in whom the right of electing rural protopresbyters lay; but appointing them pastors of the pastors of their deanries, and correctors of sacerdotal faults and failings, personally or by *delegation* to the bishop, as *the head of their jurisdiction*. “*Quoniam protopresbyterorum (decanorum ruralium) officium gravius est, quàm existimatur: monet sancta synodus, ut ii tantùm assumantur, qui zelo, pietate, doctrinâ, et eruditione cæteris præluceant, ex secularibus si idonei inter eos fuerint; sin minus ex regularibus. Ipsi vero secum cogitent, se esse constitutos pastorum sui districtûs pastores, eâque de causâ, nisi ipsorum defectus corrigant, vel ad episcopum deferant, suoque officio accuratè fungantur, cæterorum animas de ipsorum etiam manibus requirendas esse.*”

As to decanal appointments in modern days, the same *consuetudo locorum*, as we have above referred to, has much influence over them. There is no *general* rule of election and institution. Every diocese adheres to its own customs. In some places, the mandate of election proceeds, by the bishop's grant, from the archdeacon alone, as (to quote from our insular usages) formerly in

*Concilium Reussenorum, (A. D. MDCCXX.)*

*Manlii Suppl. ad SS. C. C. Tom. VI. col. 353.*

*Somner's Ant. of Cant. loc. citat.*

Atterbury's *Visitation Charge*,  
MDCCVIII.  
Strype's *Annals*,  
V. II. P. II.  
*Appendix*, No.  
XXXII. p. 698.

the dioceſe of Canterbury<sup>1</sup>, and, at one time, ſeemingly, in that of Lincoln (*ſee*, in the *Appendix*, "*admonitio episcopalis archidiacono facta de ſumptibus decano rurali allocandis*:")—in others, from the biſhop and archdeacon jointly, that is, from the biſhop through the archdeacon, as now-a-days in the dioceſe of Exeter<sup>2</sup>, where the clergy are the actual electors:—in others, again, from the biſhop alone, as in the dioceſes of London, Bangor, Bath and Wells, Cheſter, Chicheſter, Ely, Hereford, Lichfield, Llandaff, Norwich, Oxford, Peterborough, Wincheſter, Glouceſter and Briſtol, St. Aſaph, St. David's, Worceſter, and Salisbury<sup>3</sup>,—in the latter of which the office is, at preſent, on the authority of our venerated dioceſan himſelf, entirely dependent on the *perſonal jurisdiction* of the biſhop;—the archdeacon having nothing to do with the appointment, except ſo far as the biſhop may deſire him to mention the names of clergymen eligible to the duty;—which has been occaſionally done by the rural

(<sup>1</sup>) The Commiſſion now iſſues from the archbiſhop directly to the rural Dean in the dioceſe of Canterbury: and the ſame rule obtains in the dioceſe of Lincoln, and almoſt all others.

(<sup>2</sup>) "*Volumus etiam ut decanatus Plympton ſicut ab antiquo ſolet et autentico ſcripto bonæ memoriæ J. Eron. ep'i plenius et melius teſtatur eccl'ie de Plympton remaneat, ita ſcilicet ut clericus per te et ſucceſſores tuos et canonicos archd'o Tottoniæ qui pro tempore fuerit preſentetur, et curam decanatus per eum ſuſcipiat—quod ep'us et ejus officiales repellendi illos qui per vos fuerint preſentati nullam prorsus habeant poteſtatem.*" *Inter privilegia monaſterii de Plimton. Temp. Ivelii prioris. Reg. Plimton MS. Not. MS. Add. Kennett's Par. Ant. V. II. p. 353.*

(<sup>3</sup>) Such alſo is the uſage in Ireland, as far as I am acquainted with its rural-decanal adminiſtration; and likewiſe in the dioceſe of Barbados, on the authority of Biſhop Coleridge.

presbyters themselves;—but in neither case with any power of nomination, as an official right. Such likewise was the constitution of the office in the days of Bishop Ward, and also in those of Bishop Fisher, in the diocese of Sarum. And yet, to shew how much the usages of the church have varied, at different periods, in relation to the economy of this office, even in the same diocese, we find traces of an opposite custom to that now prevalent, in the early constitutions of the see of Sarum. In the *Constitutiones factæ in pleno cap'lo eccl'ie Sarum in festo Assumpt. B. Virginis, anno MCCXXII.*, this clause occurs: “*Decani etiam rurales de communi consensu d'ni e'pi et archid'orum instituuntur et destituantur.*” And in the canon “*de decanis instituendis,*” of the *Alie Constitutiones Egidii Saresberienfis Episcopi* (A.D. MCCLVI.), is the following injunction: “*Statuimus, ut cum decani rurales idonei ab archidiaconis fuerint instituti, nobis et successoribus nostris presententur ad sacramentum corporale præstandum:*” —clearly shewing, that, in the days of Bishops Poore<sup>1</sup> and Bridport, the institution of deans rural was partially, at least, a matter of archidiaconal concernment in our diocese. Nor, indeed, in that of Winchester<sup>2</sup>, has the

Reg. Dimund.  
E'pi Sarum Mss.  
apud W. K. in  
Mss. Add.

CC. M. B. et H  
Vol. I. p. 715.

See I. Filefaci  
Selector. L. II.  
p. 97. de Corpor  
Sacram.

(<sup>1</sup>) Bishop Poore drew up a body of *constitutions* at a diocesan synod, subsequent to the year MCCXXII, for the regulation of his see. They are divided into eighty-seven canons; of which the penultimate commands the archdeacons to take care that the laws are duly observed;—to give copies of them to the rural deans, who are to transcribe them, and furnish the rectors and vicars within their precincts.

(<sup>2</sup>) In the diocese of Winchester, there are, at present, two foundations of rural deans, *the old and new*—the latter instituted a few years since by Bishop Sumner, and appointed solely and exclusively by his authority (*see Appendix, Winchester Documents*)—the former of ancient standing and peculiar constitution; whereby the clergy are empowered to elect a

Collier's *Eccle  
Hist. of Great  
Britain*, B. V.  
p. 410.

CC. M. B. et H.  
Vol. II. p. 299.

*Interpreter in  
verb. Dean.  
R. C. of Deans  
and Chapters,  
c. VII. p. 53.*

act of appointing been always with the bishop, to the exclusion of the archdeacon; though in the present age the latter is no party to it:—for in the *synodal constitutions* of Bishop Woodloke (A.D. MCCCVIII.) it is stipulated “*quòd de cætero, tam decani, quàm apparitores eorum, per nos, aut officialem nostrum, archidiaconum, vel officialem eorum, communiter eligantur, et amoveantur similiter communiter per eosdem.*”

Indeed, fo good a case of seeming right to a participation in the appointment of *deans* rural generally, in England, do the archdeacons put forward, that Dr. Cowell in his *Interpreter*, and Dr. Godolphin in his *Repertorium Canonicum* (the latter copying the former), have composed their definition of *dean* rural in accordance with it—influenced, no doubt, by the papal rescript of Innocent III:—“*A person having ecclesiastical jurisdiction over other ministers and parishes near adjoining, assigned unto him by the bishop and archdeacon, being placed and displaced by them.*” Still it is the writer’s firm conviction that no archdeacon can lay legal claim to co-electorship with the bishop; whose office *alone* it is *de jure* to appoint *deans* rural in his diocese.

In the most recent revival of “the ancient use of

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person, at the archidiaconal visitation, to fill the *nominal* office of *dean* rural, and to preach at the two subsequent visitations of the archdeacon and bishop’s commissary (in Surrey). But the office is in fact, Archdeacon Hoare informs me, a mere nullity, except for preaching; for which purpose the election is annual, and the *dean* changed. This ancient foundation, though thus limited by usage, it is expressly provided by the bishop, is not to be affected by his new appointment. The latter is general throughout Hants and Surrey: the older institution, on the authority of Archdeacon Bayley, obtains not in Hants.



deans rural" in England (viz. in the dioceſe of London, where, while I am writing—December MDCCLXXXIII—they are juſt appointed), the act of appointment was exerciſed by the biſhop; but the deans are to *aſſiſt* the archdeacons in the execution of their office, and to act *in ſubordination* to them<sup>1</sup>; which ſeems to be, in my humble opinion, as judicious a mode of rendering the inſtitution of deans rural efficient, without the riſk of rendering it offenſive to the intermediate functionaries, the archdeacons, as can be deviſed.

"Although there are inſtances, in times paſt and preſent, of the clergy electing deans among themſelves," ſays an anonymous author, "yet conſidering they are to correſpond with their biſhop, to act many things in his name and by his authority, and to be accountable to him, it is but meet he ſhould have the choice of them, as for the moſt part he formerly had."

"The wiſe election of the dean rural is a matter of the greateſt importance, and requires the greateſt care;" for "he muſt be one that ſincerely loves God and the church, and hath a tender regard to the ſouls of men. He muſt alſo be furniſhed with found learning, and with dexterity to manage men and buſineſs:"—"the peace and ſafety of the church, the ſtopping of hereſie and ſchiſm, the preventing the growth of popery, and chiefly the recovering of decayed piety among the people, depending on the judicious appointment of this officer."

*A Humble Propoſal for Parochial Reformation* &c. chap. XIX. pp. 120, 121.

(<sup>1</sup>) In Gratian's time, Bingham obſerves, archdeacons had power over archpreſbyters or rural deans, and uſually now retain it. It is worthy of remark, that rural deans are not mentioned elſewhere in the *Eccleſiaſtical Antiquities*.

*O. E. B. II.*  
c. XXI. s. 8.

“If all the qualifications requisite cannot easily be found in every Deanary, yet it is necessary to go as near them as possible; but especially to provide men of clear reputation for unblameable behaviour, and of discreet zeal for the honour of God and advancement of religion.”

## SECTION II.

## THE METHOD OF INSTITUTION.



HAVING done with the *right* of election and appointment of deans rural—in whom it *primarily* rested, and in whom *by delegation*—we naturally inquire, in the next place, *how*, or *by what method*, were these officers instituted in the church<sup>1</sup>?—by oral declaration, or by formal commission *in scriptis*?—If by the latter, are any such *formulae* of institution known to antiquaries?

After assiduous search—not in the archives of public libraries, nor in the manuscriptal records of episcopal muniment-rooms, (for I enjoy few such opportunities of investigation,) but in printed books of easier access and perusal—I am compelled to reply, to the best of my belief, that none have been ever given to the public of a date antecedent to the sixteenth century; and it is said by a far higher authority in these matters, the vicar of Ambrolden, that none exist in manuscript. At least Dr. Kennett replies to the bishop of Lincoln's question

(<sup>1</sup>) It were absurd to think of recovering any authentic instruments of institution of the Eastern deans rural—the *periodeutæ* of Asia Minor, or of the subsequent *exarchi* or *protopapades*. But see Goar. *Euchol. Græcor.* p. 271. and again p. 277. and note p. 287; also notes to Dr. Priaulx's *Brief Account &c.*, for a form of ordination of a *protopapas*. Qu. Was this form used at the ordination of *bican* as well as *urban protopopes*?

*H. D. R.* Vol. II.  
Appendix,  
Salisbury  
Documents.

Mss. Addend.

*Parochial Antiquities*, Vol. II.  
pp. 356, 357.

upon this point, that he had met with none in the course of his researches:—"As farr as my present thoughts can reach," Kennett writes, "I believe the rural Deans were long appointed by the diocesan without any formal commission *in scriptis*, and invested in the office by the delivery of the *common seal*, which at the death of each Dean was returned to the bishop, or committed into custody by his order, to be given to a successor at the bishop's nomination."

Kennett, *ubi supra*, p. 357.

Oral declaration or nomination, and tradition of the *Decanal seal*, seems to have been the ordinary way of instituting Deans rural in England; and this, probably, at the times of episcopal visitation. Had there been deeds of commission, heretofore in use, they would have been found in some of the diocesan registers<sup>1</sup>; but there is not the least intimation of any such, in an authentic form, to the very time of the Reformation;—at least, in reference to Deans rural, strictly so called: though many formal conveyances<sup>2</sup> occur of the *Deanship* of the court

(<sup>1</sup>) White Kennett particularly notices, that no deeds of commission are seen in the worthy Dr. Hutton's most accurate collections from the rolls of H. Wells and R. Grosthead, bishops of Lincoln, nor in those of Walt. Grey of York.

Kennett, *pag. citat.*

(<sup>2</sup>) "*Frater Johannes eccl'ie Cant. minister humilis—dilecto filio magistro P. nuper Decanatus eccl'ie beate Mariæ de Arcubus London. custodi salutem—dilectum filium mag'rum Rogerum de Rothewelle clericum nostrum in eccl'ia B. Mariæ de Arcubus prescimus in Decanum—vobis mandamus—ut sigillum Decanatus eidem Rogero liberetis. Dat. apud Favresham ix. cal. Octob. A.D. MCLXXIX.*" By which it seems plain, that, upon the decease of the Dean, another clergyman was made keeper of the *seal*, till the archbishop appointed a successor, who had seisin of his office by delivery of the said *seal* without any other delegation in writing. Which nomination and transmitting the seal was the ordinary way of instituting rural Deans.

of arches, in the archbishop's registers,—an office heretofore attached to the rectory of the church of St. Mary-le-Bow, or *B. Mariæ de Arcubus*—the incumbent of which was once rural or urban dean of London—the dean of Christianity<sup>1</sup>—having under his peculiar district the churches exempt from the diocesan, and subject to the archbishop's immediate jurisdiction.

The non-appearance of formularies of decanal institution in diocesan registers, while they abound in the archiepiscopal, is accounted for by Kennett in his *MS.* letter to the bishop of Lincoln:—"The dean of the arches or peculiars in London kept his customary rights, and obtained some new prerogatives, because there was no archdeacon to restrain him: whereas in other ordinary deaneries, the respective archdeacons had so cramped the authority of rural deans, (nay, in some dioceses had extorted from the weaker bishops the power of constituting and removing them at pleasure,) that I presume," says the antiquary, "there was no great solemnity in appointing men to execute the declining office, commonly bestowed by *verbal nomination* and *tradition of the seal*."

Wherever there was express designation by *writ* or *patent*, it was in the usual form of the ordinary's dele-

*Ubi supra*,  
p. 358.

(1) "*È cæteris in urbe Londinenſi paræciis*," ſays Oughton, "*jamdiù fuerunt et adhuc extant numero tredecim, ſub juriſdictionis peculiaris privilegio, diſtinctæ et omninò exemptæ; quæ nempe ejusdem diæceſeos epiſcopo nullatenus ſubjaceant, ſed ipſiſſimo metropolitano, quâ ordinario, immediatè ſubjectæ remanent; quarum una eſt illa parochia Sanctæ Mariæ de Arcubus, et habebatur quaſi præcipua*," &c.

"*Ob arcuatam baſilicam, in quâ, pro tribunali, ſedere ſolebat, Decanus de Arcubus*."

Oughton's *Ordo  
Judiciorum Pro-  
legomena*, X. XI.



See *Chronica*  
W. Thorn. *Script.*  
x. col. 1976.  
*Decanatus*  
*ordinatus per*  
*Abbatem Tho.*  
*Fyndon.*

gating any other official or commissary, *mutatis mutandis*. And White Kennett acknowledges it as probable that there may have been short instruments of conveying the ordinary trust of Dean rural, though not remaining upon record<sup>1</sup>. Be it so, or otherwise, antecedent to the epoch referred to by the learned author; many such documents have been met with in diocesan registers, since that event, in England, and a few short formulæ of institution of Deans on the continent (one of which has been already quoted, Sect. II.) are seen in Van Espen, *I. E. U.* Part I. Tit. vi. cap. 1. p. 29. Some interesting *MS.* forms have reached me from the diocese of Chester, by the kindness of Mr. Ward, and are given in the Appendix under that title.

*Ms. Pedace-Book*  
*penes Registr.*  
*dioc. Cestr.*

On the twenty-fourth of May MDLI, Bishop Bird (the first prelate of the new see of Chester) granted the office of rural Dean of Kendal, Lonsdale, and Catheric deanries, to Thomas Bland for life ("*durante vitâ suâ naturali*") by patent, (see the document, with several others, in the Appendix—*Chester Documents*—N<sup>o</sup>. I.)—These patents, as formulæ of institution, are curious, and have never before been laid before the public. From them it appears, that the principal registrar of the diocese did not interfere with the decanal jurisdiction, but that the Deans had separate registrars of their acts appointed by the

Kennett, *pag.*  
*citat.*

(<sup>1</sup>) It is certain the next successor to Peckham, Archbishop Winchelsey, made a Dean of St. Mary Arches by these express letters-patent.—"*Robertus Cant. ar. ep'us dilecto filio mag'ro Henrico de Nassington canonico eccl'ie Linc. salutem. Officium decanatus eccl'ie Beate Mariæ de Arcubus London. cum suis juribus et pertinentiis universis, et exercitium jurisdictionis ejusdem—tibi committimus per presentes—dat. apud Otteford. 3. kal. Jun. MCCXCV.*"

bishop. (*See Appendix N°. II.*) In MDCXV<sup>2</sup>, the office of rural dean of all the deanries of Richmond archdeaconry (save only Amoudernefs) was united with that of commissary, and granted by *patent* for life to Edmund Mainwaring and Mark Pickering (*see Appendix N°. v.*), and subsequently to Joseph Cradock (including Amoudernefs) in MDCXXXVI, who continued *patentee* of all the *decanates* at the time of the Restoration in MDCLX. Confirmations of other such *patents* appear in the acts of the dean and chapter of Chester of later date, all parties acknowledging the separate jurisdiction of the deans rural (*see Remonstrance of the dean and chapter, and Answer of the bishop, A.D. MDCLXII, Appendix N°. VII.*), and cautiously preserving it in the successive particular and general *patents* for a century afterwards.

There anciently obtained in some dioceses a custom of swearing deans rural to the observance of certain articles at the time of their institution; of which the first notice I have met with is in the seventh canon of the Meath Constitutions (A.D. MCCXVI.), to this effect:—“*Ut in admisione ad officium juramentum præstent de fidei executione sui officii. Item de inquirendo et præsentando nobis et*

CC. M. B. et H.  
Vol. I. p. 547.

(<sup>2</sup>) At the present time, the whole deanal jurisdiction is exercised by the commissary of Richmond and archdeacon of Chester, the rural deanries being all vested in them; and, by right of the ancient office of dean rural, their jurisdiction is considerable, though the archdeacons of Richmond and Chester, as such, have no jurisdiction whatever—that is, in their archidiaconal capacity alone—the same having been surrendered to the crown at the institution of the see, and vested in the bishop, who has not thought fit to give to the archdeacons any jurisdiction, and they are entitled to none by the charter but what he chooses to bestow on them, with the salary of 50*l.* to each.

*officialibus nostris nomina et cognomina omnium et singulorum infra suos decanatus, qui publicè et notoriè defamati aut vehementer suspecti sunt de aliquo crimine aut infamiâ, per auctoritatem nostram puniend. et corrigend.*" &c. See hereafter, under *Visitation duties*—**H. D. R.** Part iv. Sect. II.

About forty years later we read of the *sacramentum corporale* as being taken by deans rural of the diocese of Salisbury, on their presentation to the bishop, after institution by the archdeacon. See the *Constitutiones aliæ* of Giles Bridport (*A.D.* MCCLVI.), can. *de decanis instituendis*: and on the nature of the corporal sacrament ("*Tactis corporaliter sacrosanctis evangelis in publico corporaliter subeant sacramenta.*" Const. Siculæ, L. I. Tit. LIX.) See Ducange *Glossar.* Tom. III. col. 884.

The obligation of an oath, I have no doubt, continued to be imposed on these officers subsequently, though the *Concilia Magnæ Britannicæ et Hibernicæ* of Wilkins afford no record thereof till the provincial Scotch council of Edinburgh (*A.D.* MDXLIX.); wherein it is enacted, "*quod decani ante susceptionem sui officii jurent de fidei ejus administratione in omnibus,*" &c., as hereafter cited in full, under *visitation duties*.

In the *patent* of dean rural of the deanries of Kendal, Lonsdale, and Catherie, to Thomas Bland, *A.D.* MDLI, it is said, "*Tibi in virtute juramenti tui coram nobis de officio prædict. fidelitèr exequend. in hac parte priùs præstit. damus et concedimus,*" &c.: and the oath is again referred to in the bishop's *Charge to the deans*, *A.D.* MDXCIV.; but, as if it ceased to be exacted, the words occur in no subsequent *patent*.

The Rouen collection of councils presents us with the form of the deanial oath, as it was administered in

*CC. M. B. et II.*  
Vol. I. p. 715.

*CC. M. B. et II.*  
Vol. IV. p. 49.  
can. XIII.

See Appendix,  
Chester *Patents*,  
No. I.

Ditto *Charge*,  
Ditto, No. III.

*CC. Rotomag.*  
Prov. P. II.  
p. 398.

the diocese of Evreux (A.D. MDLXXVI). It appears among the statutes of the summer synod, under the title "*de Decanis Ruralibus*;" and is thus introduced—"Ne frustra lex et statutum detur, si nemo sit qui observet, vel observari in nostrâ absentia procuret, præcipimus decanis ut tanquam ex altâ speculâ prospiciant in omnes, ac fidelitèr deferant delinquentes et contumaces: in quem finem damus ipsis potestatem citandi quoscumque sine alio mandato speciali, et prohibemus ne conniveant, vel cum ullo pretio interposito transigant sub pœnâ erga nos perfidiæ, et perjurii in DEUM contra juramentum, quod omnibus synodis volumus ab illis in nostris manibus fieri et renovari, cujus hæc est forma ex sanctis canonibus sumpta—

Ego N. decanus de N. juro per DEUM vivum et hæc sancta evangelia quòd amodo in antea quidquid novi, aut audiri, aut postmodum inquisiturus sum quod contra voluntatem DEI, aut rectam Christianitatem in decanatu mihi commissò factum sit aut factum erit, si in diebus meis evenierit, et ad cognitionem meam pervenerit, aut indicatum mihi fuerit, synodalem causam esse et ad ministerium domini mei episcopi pertinere: quòd nec propter amorem, nec propter timorem, nec propter pretium, nec propter parentelam, nullatenus celabo prædicto domino meo episcopo, aut ejus missò, cui hoc inquirere jussèrit, aut ejus officiariis. Sic me DEUS adjuvet et hæc Sancta Dei Evangelia."

We have recorded the administration of an oath to the deans rural of the diocese of Salisbury by Bishop Bridport in the middle of the thirteenth century. An oath was also administered to them by Bishop Ward in the latter part of the seventeenth century. The *Articles of Enquiry* drawn up by him (soon after his installation) for the use of the deans rural of his diocese are yet extant

Notitiæ Ecclie  
Episcopi Sarum,  
Transcript,  
p. 339.

Appendix.  
Salisbury Do-  
cuments.

*Rupertor, Canonie.* in App.  
p. 6. (23.)

*A Humble Proposal for Parochial Reformation,* p. 31.

in his *Common-place Book*, and are headed, "*Officium Decanorum Ruralium ad quod juramento astringendi.*"

From the form of the Dean's oath, set down by the diligent Dr. Godolphin in his *Repertory*, as in old times administered, the then authority and jurisdiction of this rural officer in England may be sufficiently understood. The exact date of the instrument I am unable to ascertain. It is in vain sought for in an authentic shape of earlier publication. The duties enumerated are found dispersed through ancient councils, but no where so compendiously and formally drawn up. Nor have I met with any genuine form of Decanal jurament in actual use in modern days, except in one diocese of England<sup>1</sup>. Godolphin's is to this effect:—

#### Articles ministered to Rural Deans.

"*E, A. B., do swear, diligently and faithfully to execute the office of Dean rural within the deanry of C.*

"1. I will diligently and faithfully execute, or cause to be executed, all such processes as shall be directed unto me from my lord bishop of *E.* or his officers or ministers, by his authority.

"2. *Item,* I will give diligent attendance, by myself or my deputy, at every consistory-court, to be holden by the said reverend father in God, or his chancellor, as well to return such processes as shall be by me or my

(<sup>1</sup>) In the Commission used by Bishop Burges in the diocese of St. David's, and kindly forwarded to me by Bishop Thirlwall, these words occur—" *You being first in our presence duly sworn upon the Holy Evangelists to act faithfully in the discharge of your said office of Rural Dean.*"



deputy executed; as also to receive others, then unto me to be directed.

“3. *Item*, I will, from time to time, during my said office, diligently inquire, and true information give unto the said reverend father in God, or his chancellor, of all the names of all such persons within the said *Deanry* of *C.* as shall be openly and publickly noted and defamed, or vehemently suspected of any such crime or offence, as is to be punished or reformed by the authority of the said court.

“4. *Item*, I will diligently inquire, and true information give of all such persons and their names, as do administer any dead men’s goods, before they have proved the will of the testator, or taken letters of administration of the deceased intestates.

“5. *Item*, I will be obedient to the right reverend father in God, *I.* bishop of *N.*, and his chancellor, in all honest and lawful commands; neither will I attempt, do, or procure to be done or attempted, any thing that shall be prejudicial to his jurisdiction, but will preserve and maintain the same to the uttermost of my power.”

In the *Resolutions of the Upper House*, consequent on the *Report of the Committee of the two Houses of Convocation about Rural Deans*, (*A.D.* MDCCX.), no oath was proposed, but it was ordered “that *A Paper of Instructions* from the bishop shall be given to every rural dean, *without fee or reward*<sup>1</sup>, directing him how and in what manner to

*CC. M. B. et H.*  
Vol. iv. p. 638.

(<sup>1</sup>) If we may believe the violent anti-episcopal author of “*A Short View of the Prælatial Church of England*,” there was once a custom of exacting a fee on the administration of the oath of office to Deans rural.

execute that office; and that every Dean shall *solemnly promise*, in the presence of the bishop, or any other person appointed by him, to execute the said office according to such instructions, to the best of his skill and power."

Such may be said to be the general usage at present in the dioceses of Great Britain and Ireland, wherever rural deans exist. Some sort of instrument passes mediately or immediately from the bishop, his official, or archdeacon, to the dean, investing him with full powers to execute the trust, for a definite, or indefinite period, as the case may be; and, at the same time, instructing him *how* he is to perform its particular duties. In Cornwall, where I am informed "the office has *never* (?)

*Ex. Epist. Autograph*, Rev. I. Wallis de Bodmin.

*A Short View of the Prælatial Church of England*, MDCXLI.

*Ecclef. Courts' Report*, MDCCCXXXII. pp. 517, 518. *Appendix, C.* Part VII. No. I.

rural. Among the means of episcopal aggrandizement, it is there alleged, with no good intent towards our apostolical hierarchy, that one source of wealth to prelates was—"By making rurall deanes yearly (where they be) in every deanry:—and for the oath taken, some pay 8s. 6d. or a noble, but no benefit to the deanry at all, but to execute bishop's mandates."

At present, I am not aware that any payment is made for his commission by the dean rural of England, except in the province of York: where, in the list of fees taken in the exchequer and prerogative courts, appears "*Commission for a rural dean, 5s. 4d. (Judge), 3s. (Registrar).*" But in parts of that province the decanal office is one of considerable emolument, and held by *patent* for life (viz. in the archdeaconries of Chester and Richmond), so that the functionary may well pay for his commission. See *Table of Fees &c.* N<sup>o</sup>. I. beginning "*For business certified by rural deans:*"—deans rural in general have "*no comings-in,*" and therefore had need have *no goings-out*, beyond what they unavoidably incur in the fulfilment of their ordinary duties of parochial visitation, and attendance on the citations of their diocesan. But see some remarks on the income of *chorëpiscopî*, and their successors the deans of the country, in my Second Vol. P. v. S. III. notes.

been discontinued," the ancient custom of administering an oath, at the time of institution, yet survives, with other primitive peculiarities connected therewith. The office is there, as it was in Lyndwood's days *generally* in England (*see the next section*) *annual*. The bishop's mandate passes from the vicar-general and commissary of the diocese, under his official seal, to the archdeacon—"charging and commanding him to monish, or cause to be monished, all the clergy of his archdeaconry before him assembled on any competent and convenient day and place, then and there to elect, and nominate, one fit and convenient clerk of each *deanry*, to be the *dean* rural of each *deanry*, within the archdeaconry for the year ensuing:—and giving him free power and lawful authority to administer in due form of law to each and every of the *deans* rural, who shall be elected in pursuance of the mandate, the usual and accustomed oath for the faithful execution of their respective offices"—to this effect:—

*See Appendix,  
Exeter Forms,  
No. i.*

"You shall swear well and truly to execute the office of a *dean* rural within your *deanry*, for the year ensuing; you shall diligently, in the year, visit all churches and chapels within your *deanry*, as also all parsonages and vicarage houses; you shall make true presentments of such defects as you shall find therein, and also the defects of books, ornaments, and other utensils and furniture, belonging to each church or chapel; you shall either, by yourself or deputy, faithfully execute, or cause to be executed, all such processes and mandates as shall be sent to you from your ordinary, and make true returns of the same.—So help you God."

*See Tenor Juramenti &c.  
Appendix,  
Exeter Forms,  
No. ii.*

Till within these few last years, the oath was usually administered, immediately after dinner, at the table where the clergy dined, on the occasion of the archdeacon visiting the respective *deanries* of his jurisdiction—holding, *that is*, his synodal visitations in each—(the time selected for the appointment, under the episcopal mandate, as most convenient for the assembled clergy to elect their *deans rural*); but the present archdeacon of Cornwall (the Rev. John Sheepshanks) thinking it more decorous to hold the election and administer the oath, when the clergy are called over, at the altar, after divine service, that course is now constantly pursued. *Instructions* are afterwards delivered to the *dean* for the execution of his office, with a *Book of Forms* for making his presentments; copies of which are delivered to the churchwardens, who are called upon, in the subsequent year, to answer inquiries as to their conduct in discharging such presentments:—and this is done, before the archdeacon, in the presence of the *deans rural*.

See Appendix,  
Exeter Forms,  
No. III.

Ex. Epist. Mss.  
Edw. Wyatt,  
Regist. ar.

It was customary in the diocese of St. Afaph, during the episcopate of Bishop Horsley, for the rural *deans*, before their appointment, to make a formal declaration of assent, and to subscribe, to the Thirty-nine Articles of Religion, and to the three articles in the thirty-sixth canon, in the presence of a notary public. This custom, however, of which a record remains in the subscription-book of the See, has altogether ceased—the present Bishop appointing to the office by letter only.

In the *Appendix* of documents will be found numerous forms and tables of instructions for *deans rural* from the ninth century downwards to the present time. They

are culled from authentic sources in print and manuscript, and may be relied on for their authenticity.

But before I conclude this section on the subject of the investiture of *deans rural*, I must again cite the *MS.* letter of White Kennett to the bishop of Lincoln, pregnant as it is with much pertinent and sensible suggestion to the point. "If your lordship doe not think it sufficient to ordain rural *deans* by *oral declaration* at your times of visitation," writes the vicar of Ambrosden to Bishop Gardiner, "but to give them *particular commissions* to authorize them (which indeed will look more solemn and authentic), your lordship may use a short and general form; such as one of the foregoing, (*see* Sect. II. notes); or such as is now commonly used in creating an official or furrogate; or such, *mutatis mutandis*, as now constitutes a *dean* of arches. Or else your lordship may have a new form drawn up, which shall decently mention the good old custom, and the benefits of restoring it, and so delegate the person to exercise the office of *Dean of Christianity* within such a known *deanery*, without specifying the acts or bounds of his authority; because these must be limited or enlarged, as the prudence of governors shall direct, or indeed as the iniquity of times will bear. For at first, my lord, the archdeacons and officials, &c. will be jealous of them, and will create disturbance, if there be any seeming trespass upon their accustomed rights. And yet there be many parts of discipline that may be committed to the rural *deans* without any pretended invasion upon the archdeacons, or others, &c."

*MS Addenda:  
Parochial Anti-  
quities, Vol. II.  
p. 358.*



## SECTION III.

THE DURATION OF OFFICE OF **Deans Rural.**

Y whomsoever deans rural may have been, at different periods of their history, constituted and appointed, and in whatsoever way, the office itself has *generally* been, and still continues, in most dioceses (as we have already hinted), of a temporary nature, the powers with which it is invested by delegation being revocable at the will of the delegator.—“*Ruralis archipresbyter non dignitas est*,” says Richard, “*sed simplex ad episcopi voluntatem revocabile officium.*”

*Analysis CC.*  
*Gen. et Part.*  
Tom. III. p. 36.

*Provincial. L. II.*  
*T. i. gl. decani*  
*rurales.*

*L. i. Tit. II. gl.*  
*decanos rurales.*

*L. II. Tit. I. gl.*  
*omni anno.*

This precariousness of title is implied in the passages, already cited from foreign canonists, on the removal of deans rural, when occasion required it; and it is expressly affirmed by our own Lyndwood—“*eorum officium est temporale et non perpetuum*,”—differing in that respect from the decanal dignity in cathedral, collegiate, and such like churches, “*quibus perpetuò intitulantur.*”—“*Sunt hi decani temporales ad aliquod ministerium sub episcopo vel archidiacono (al. archiepiscopo) exercendum constituti;—nec habent institutionem canonicam tanquàm in beneficio.*”—And again, “*quolibet anno mutantur decani, et fiunt novi.*” To the same purport writes John de Atho, in his earlier glossary on the *Legatine Constitutions* of Cardinal Otho, in the canon “*ne cause matrimoniales iudicibus imperitis*

*committantur;*”—“*non est perpetuus* (scil. decanus ruralis) *et sic consuetudinem præscribere non posset,—sed est amotivus ab officio ad nutum superioris, cujus est minister.*” And once more the Bishop of St. David’s, on the same point of prescription—“*cum tales decani rurales<sup>1</sup> non sint perpetui, et quicquid faciunt, non suo sed alieno nomine faciunt, etiam ratione consuetudinis præscribere non possunt.*”

gl. in voce decani.

Provincial. L. II.  
T. I. gl. audire  
præsumant.

Similar was the intended regulation of the office in the *Reformatio Legum Ecclesiasticarum*—“*Munus autem ejus (archipresbyteri rustici) erit annuum.*” But in the *Proceedings in Convocation about Rural Deans*, in the reign of Queen Anne, the period of decanal tenancy, recommended by the *Upper House*, was three years<sup>2</sup>;—“unless cause should appear to the bishop for altering the said term;”—or, as the latter clause was amended by the *Lower House*,—“unless great cause should appear to the bishops and archdeacons having jurisdiction, or to the bishop where there is no archdeacon having jurisdiction, for displacing them sooner.”

Tit. XCH. c. v.  
p. 95.CC. M. B. et II.  
Vol. IV. p. 638.

True, therefore, it is, as remarked by the Historian of the *Antiquities of Canterbury*, that rural deans were “generally amotive, and removable *ad nutum constituentis* :”—but there have been exceptions to the rule.

Part I. p. 176.

In some places, by virtue of custom and the grants of

(<sup>1</sup>) Which was the reason, Gibbon observes, why the seals the deans rural had for the due return of citations, and the dispatch of such business as they were employed in, had only the name of the office (and not, as other seals of jurisdiction, the name of the person also) engraven on them.

Gibbon’s Cod.  
I. E. A. Vol. II.  
Tit. XLIII. cap.  
VIII. p. 972.

(<sup>2</sup>) The Bishop of Down and Connor and Dromore appoints his rural deans by commission “for the term of three years, or during pleasure.” MDCCCLIII.

See Appendix,  
Irish Documents,  
Down & Connor  
& Dromore.

Godolphin's *Re-  
pertorium Ca-  
nonicum*, chap.  
vii. p. 53.

Burn's *Ecclef.  
Law*, Vol. II.  
p. 118.

T. D. Whitaker's  
*Richmondshire*,  
Vol. I. p. 339.

See Borlase's  
*Antiquities of  
Cornwall*, Tan-  
ner, p. 67.

bishops, they enjoy a *perpetual* jurisdiction, subordinate only to the bishop and archbishop;—they are "*vicarii episcopi et archiepiscopi*," and have power of acting by themselves or deputies. Of this nature are the *deans* of Shoreham, Croydon, and other the archbishop's peculiars; who have archidiaconal jurisdiction under the archbishop, and are subject to him alone. The official principal, vicar-general, or commissary of the archbishop, have no concurrency of jurisdiction in these *deantries*; but appeals lie from the *dean* to the official principal, and they are subject to the archbishop's visitation by himself or his vicar-general.

Under the title of *decani rurales*, modern writers also, sometimes, place the *deans*<sup>1</sup> of *Battle*, *Bocking*, *Middleham*, *St. Burian*, *Guernsey*, and *Jersey*, all of whom are

(<sup>1</sup>) *Battle* or *Battell* — *De Bello*—is an ancient *deanry* of *Suffex*, a peculiar jurisdiction without a chapter. See Dugdale's *Monasticon Anglicanum*, Part XIX. p. 239. *New Edit.*

*Bocking* is the head of the archbishop's peculiars in *Essex* and *Suffolk*; four of which are situated in *Essex*, and three in *Suffolk*; and all subject to the *dean* of *Bocking*, as archiepiscopal commissary. See Morant's *Essex*.

*Middleham* is a collegiate church in the gift of the crown, with jurisdiction, privileges, and exemptions, unimpeached and undiminished to the present day. The *dean* has the probate of wills, and some other rights of ecclesiastical jurisdiction within his parish, together with a court, an official, and a seal of office. "The paroch chirche hath beene, as sum wene," says Leland, "a collegiate chirche. The parson is yet caulled the *dean* of *Midleham*. Richard the 3d lay at itt, and collegiate the chirche there, but Henry the 7th toke the new college land awaye."

*St. Burian* enjoys its *decanal* dignity immediately under the crown; the *dean* exercising an independent jurisdiction in all ecclesiastical matters within the parish and its dependencies. He is rector, and entitled

perpetual, and in our days are more correctly called *Decans* of peculiars; though several, or perhaps all, may have sprung originally from *Decans* rural. Indeed, Sir Henry Spelman so thinks with regard to some of them:—“*Sunt etiam in rure*,” says he, “*Decani pauculi, nulli collegio præfecti, sed jurisdictione quâpiam gaudentes, ut Decanus Croideniæ in comitatu Surriæ, Decanus de Bello, i. Battel, in comitatu Cantii, &c. Videntur ex ruralium Decanorum genere fuisse: quod hinc ab episcopo, illinc ab archidiacono, vel exhaustum omninò est, vel pristino splendore denudatum.*”

*Gloss. Archæiol.*  
p. 165.

But to come to less equivocal *Decans*:—In the diocese of Norwich, the continuance of *Decans* rural in office seems to have been *perpetual*, and their admission more solemn than elsewhere. For, in the time of Archbishop Witlesey, while that see was vacant, *collations* to several rural *Decanries* occur (whereas in other places they are called

Gibson's *Codex*,  
*I.E.A. Tit. XLII.*  
c. VIII. p. 972.

to all the tithes of *St. Burian*: where also a visitation court is held in his name, churchwardens sworn, and wills proved, &c. The appeal from his court is directly to the king in council. Three prebends were attached to this royal peculiar from the Conquest downwards; but before the Reformation, *Dean* and prebendaries had deserted *St. Beriana* and her shrine. “Ther longeth to *S. Buryens* a *Decan* and a few prebendarys,” says Leland, “that almost be nether ther.” Leland's *Itin.* vii. 127. This ancient sanctuary, with its titular *Dean*, has not much, assuredly, in common with the constitution of an ordinary rural *Decanate*.

Whitaker's *Cathedral of Cornwall*, c. i. p. 21.  
&c.  
Lyson's *Cornwall*, p. 49, seq.

The *Decanries* of *Guernsey* and *Jersey* present more points of resemblance; and, on that account, I have selected from their *canons and constitutions ecclesiastical* of the reign of James I. some few regulations of the *Decanal* office, its character and functions, as then appointed in those remote parts of the diocese of Winchester. These extracts are distributed, either as text or foot-notes, under the various heads to which they apply. See Falle's and Morant's *Jersey*, and Berry's *Guernsey*.

*admissions* only); and, in an ancient metropolitical visitation of the same diocese, the first in every deanry is such an one, *perpetuus* decanus<sup>1</sup>. To which may be added, says the bishop of London, what we find before, in the

Pib. Instit.  
Norwic.

(<sup>1</sup>) On the collation of Henry Goldwell to the deanry of Cranwich in Norfolk, this injunction is entered: "*Et episcopus virtute obedientie, firmiter injunxit omnibus et singulis abbatibus, prior. rector. vicar. curatis, &c. tam clericis quam laicis per dict. decanat. quod Henrico Goldwello decano perpetuo eorum, obediant pariter et intendant in omnibus licitis, canonicisque mandatis.*"

Blomefield's  
Norfolk,  
Vol. i. p. 473.  
Vol. ii. pp. 52.  
228. 271. 422.

The Dean of Rockland-Toft in Norfolk exercised jurisdiction over thirty rectors and vicars besides the three parishes within the bounds of his own incumbency: he was, as well as the other deans, Mr. Blomefield tells us, collated by the bishop. All the deanries had peculiar feals appropriated to them. They were not *temporary*, or *durante episcopi bene placito*, but *perpetual* offices; and were often resigned and exchanged for other preferments in the church. Mr. Blomefield gives a list of the deans of Rockland from *A.D.* MCCCXV. to *A.D.* MCCCCXVIII.; of those of Thetford from *A.D.* MCLXXV. to *A.D.* MCCCCXX.; of Cranwich from *A.D.* MCCCXV. to *A.D.* MDIX.; of Breccles from *A.D.* MCCCX. to *A.D.* MCCCCLXVI.; of Hingham from *A.D.* MCCCVII. to *A.D.* MCCCCLXVII.; of Norwich city from *A.D.* MCCXVI. to *A.D.* MDXIX.; of Humiliat or Humble-yard from *A.D.* MCCLVI. to *A.D.* MCCCCLXVII.; of Desswade from *A.D.* MCCXVI. to *A.D.* MCCCCXVIII.; of Redenhall from *A.D.* MCCCXXVI. to *A.D.* MDXXXIV.; of Burnham from *A.D.* MCCXVIII. to *A.D.* MCCCCXCIV.; of Blofield from *A.D.* MCCLVI. to *A.D.* MCCCXLVII.; of Fincham from *A.D.* MCCL. to *A.D.* MDXVIII.; of Repps from *A.D.* MCCCIV. to *A.D.* MCCCXXXIX.; of Lynn from *A.D.* MCCCXV. to *A.D.* MDXLIII.; of Holt from *A.D.* MCCCXVIII. to *A.D.* MCCCCXXXIX.; of Brisley from *A.D.* MCCC. to *A.D.* MCCCCLII.; of Broke from *A.D.* MCCLVI. to *A.D.* MCCCCXXXVI.; of Hitcham from *A.D.* MCCCXIV. to *A.D.* MCCCXLIX.; of Flegg from *A.D.* MCCLVI. to *A.D.* MCCCCXLV.

Vol. iv. p. 63.  
Vol. v. pp. 124.  
358.  
Thetford, from  
*A.D.* MCCCCXVIII.  
N<sup>o</sup>. Dr. Sutton.

Vol. vii. pp. 39.  
211. 363.  
Vol. viii. pp. 181.  
530.  
Vol. ix. pp. 400.  
471.  
Vol. x. pp. 107.  
312.  
Vol. xi. p. 145.

About *A.D.* MDXL. the rural deanries came all into the bishop's hands, and their jurisdictions into the archdeacons. Being valuable preferments, they were taxed for their annual profits to their respective deans in the Norwich taxation.



register of Archbishop Peckham; who commands the bishop to sequester "*proventus omnium decanatum, in quibus decani, et in sacerdotio constituti, non faciunt personalem residentiam*<sup>1</sup>."

Again,—If the anomalous personage, so fully and amusingly described by Dr. Whitaker, under the title of Dean of Whalley, can be considered a rural Dean, we have an example of the office being *hereditary*. But, close as this strange personage approximates to the corban of Ireland (in being compounded of patron, incumbent, ordinary, and lord of the manor), and aware, as I am, that Sir Henry Spelman views the corban as the counterpart of the Dean rural of England, I cannot subscribe to the accuracy of the opinion which would confound these ecclesiastics under the same general character.

A less doubtful exception to the office's limitation, the pastor of Great Budworth affords, in the notice bestowed upon it in his *Defensive Doubts, hopes, and reasons, for refusall of the Oath, imposed by the sixth canon of the late synod*—"In this diocesse (Chester), the Deanes for many yeares past have had a great part of episcopall jurisdiction shared among them," says John Ley;—"and this, by *patent* for lives or yeares, from the bishops, allowing sometimes larger, sometimes lesse authority, unto them."—Which statement I find confirmed by a

T. D. Whitaker's  
*Hist. of Whalley*, B. II. c. I.  
p. 42.

Ley's *Defensive Doubts*, &c. p. 50.

See Appendix,  
Chester *Patents*.

(<sup>1</sup>) Bishop Kennett's *Ms.* additions to his own copy of his *Parochial Antiquities* cite the following extract from the register of John Drokensford, bishop of Bath and Wells (A.D. MCCCIX.—MCCCXXIX.)

"MCCCXXV. 13. kal. Octob. Joh. de Roulesham ad officium archipresbyteratus in eccl'ia de Pokyngton secundum formam ordinationis dicti archipresbyteratus qui penes d'nū remanet ad present. d'næ Aliciæ de Knovil dictæ eccl'ie et archipresbyteratus patronæ."

Registr. Joh.  
Drokensford  
ep'i. B.W.

manuscript *Ledger* in the possession of Mr. Ward, the present deputy registrar of that diocese, who kindly granted me permission to consult the same.

Though in the year MCC, it is clear, that the rural *deans* or vice-archdeacons, as they are often denominated in the *Ledger-book*, were removeable at the will of the archdeacons, yet, it is presumed, that, at the time of the erection of the see of Chester (out of the furrendered jurisdictions of the two archdeaconries of Richmond and Chester) the rural *deans* held their offices for life; as they, beyond all doubt, subsequently did. At the period alluded to, rural *deans* were subsisting, and did not surrender their functions as the archdeacons did, but continued (as before placed by the archdeacons) in their respective *deanries* under the diocesan bishop of the new see; who deemed it expedient, from time to time, as the *decanates* dropped in, to continue to perpetuate them by *patents for lives*<sup>1</sup>; the *deans* being still possessed of the same subordinate jurisdiction which they had exercised under the archdeacons;—a jurisdiction obtained by long custom, distinct from the ordinary jurisdiction of the diocese; and entitled to independent actuaries, registrars, &c. of its own.

The engraving of the name with the office on the *seal* of the rural *deans* of Manchester, Mr. Whitaker remarks, of itself proves the appointment to have been there *for life*:—indeed the same perpetuity belonged to it, as to

*Mss. Ledger*,  
pp. 1, 2, seqq. &  
pp. 70, seqq.

*Ejusdem*, p. 6.

Whitaker's *History of Manchester*, Vol. II.  
pp. 391—398.

(<sup>1</sup>) See the evil of this system of *patents for lives*, as practised in the diocese of Chester, in the estate of that diocese in the time of Bishop Bridgeman, printed from the *Mss. Ledger-Book*. Appendix of documents of this See, N<sup>o</sup>. VI.

the other *decanates* of the old archdeaconry of Chester, of which it formed a part—a perpetuity, which, the cited historian affirms with his wonted positiveness, universally attached to the office at its first institution<sup>1</sup>.

In the archdiocese of Salzburg, it seems, *deans rural* were wont to hold on beyond the bishop's pleasure, "*ita ut sibi persuadeant, se eo officio, et jurisdictione, ob quamcunque causam non posse desitui*:"—to counteract which uncanonical notion, the synod of MDLXIX decrees, that all elected *deans* shall appear before the ordinary for institution, and afterwards perform the duties of their office to his entire satisfaction, as the condition of their continuing to hold the same;—" *Qua in re*," concludes the constitution, "*neque alicui fit injuria, cum hujusmodi munera, mera sint episcoporum officia, quibus suis providere ac consulere debent oribus, sibi à spiritu sancto commissis*."

*Constitut. et Decret. Synod. Salisburg. xxv. cap. v.*

In some places, where our rural functionary enjoyed a *perpetuity* of tenure, (and such, we are told, was the constitution of his charge not unfrequent on the continent, and at first, perhaps, in many dioceses of Great Britain,) it is said, that he was distinguished by the less common title of *plebanus*<sup>2</sup>—"à *regimine plebis*"—

*Filefaci Parœcia*, p. 49.

(<sup>1</sup>) What was the duration of office of the ancient *chorëpiscopi*, I do not remember to have any where seen. But it is at least questionable, whether it was not for life. Not so that of the bishops *in partibus infidelium* of England. Their commission, at and after the Reformation, was revocable.

*Strype's Mem. of Cranmer*, Appendix, No. XXII.

(<sup>2</sup>) Upon the nature of this title, Bishop Stillingfleet affords light, as it obtained in England soon after the first institution of a parochial clergy; and from him it would appear, that the *plebanus* of those days was not the same, essentially, as our *dean rural* of after-days, however identified in the columns of glossariographers. "There were some cures,"

*Duties & Rights of the P. Clergy*, Works, Vol. III. p. 651.

a title, which, Filefac thinks, originated in the days of Pope Lucius III. (*circa annum* MCLXXXI.), as synonymous with *parœcus*: but very many *perpetual* deans rural were not *plebaní*, and very many *plebaní* were not deans rural.

The term *plebanus* is of very rare occurrence in our

cures," says he, "which had chapels of ease belonging to them; and they who officiated in them, were called *capellani*, and had their subsistence out of the oblations and obventions, and were often *perpetual* and *presentative*. And where the incumbents had several chapels of ease, and only assistants to supply them, the canon law doth not call them *rectores*, but *plebani*; who had a sort of peculiar jurisdiction in lesser matters; but still they were under the bishop's authority in visitations and other ecclesiastical censures, because the care of the whole diocese belonged to him *jure communi*, &c." And here let me add, that somewhat of this character may still attach to the dean rural abroad: or why, otherwise, would he have to perform, among the duties of the *plebanate*, that of preaching and teaching in *ecclesiâ plebanali*, (as the mother church of subordinate daughter-chapels,) imposed upon him by Galgannetti on the authority of the council of Trent, in sefs. v. *de reformat.* "*archipresbyter verò ruralis presbyterorum, et laicorum plebania suæ curam gerit, contra tamen decretum episcopi nihil ordinare potest.—Sed et ipse, et alii omnes parochiales, vel curatas ecclesias habentes, tam in civitatibus, quàm in vicis per se, vel alios idoneos, si legitime impediti fuerint, diebus saltem dominicis, festisque solemnibus, plebes sibi commissas, pro suâ et earum capacitate pascant salutaribus verbis: docendo ea, quæ scire omnibus necessarium est ad salutem, annunciandoque eis cum brevitate, et facilitate sermonis vitia, quæ eos declinare, et virtutes, quas sectari oporteat, ut pœnam æternam evadere, et cœlestem gloriam consequi valeant,*" &c. See the learned remarks of Muratori, in his seventy-fourth dissertation, *Antiquit. Med. Ævi*, Tom. vi. on the ecclesiastical incumbents termed *plebaní* and *archipresbyteri*—and a Bull of Pope Alexander III. (*A.D.* MCLXVIII.), Tom. vi. col. 423. confirming to a *pleban* the subject churches of his *plebanate*: and at p. 441, one of Archbishop Anselm of Ravenna, confirming to an *archipresbyter* his subordinate *capellæ* &c. (*A.D.* MCLVI.)

*Tractatus* (Le-  
andri Galgan-  
netti) *de Jure*  
*Publico*, Lib. III.  
Tit. XXIII. p. 231.  
*Venetis*,  
MDCXXIII.  
folio.

English councils, (indeed I remember to have met with it only once or twice); but in Tuscany, the *Summa Silvestrina* notes that the "*archipresbyter ruralis communiter dicitur plebanus alibi decanus.*" And, from the treatises of Augustin Barbosa *de Canonicis et Dignitatibus* &c., and Ferro Manrique *de Precedentiis et Prælationibus Ecclesiasticis*, in Spain also, the title of plebanus is common amongst the canonists. "*Plebans*," says Johnson, are the same with *deans rural*, only some say that they were perpetual<sup>1</sup>."

Whether *temporary* or *perpetual*, the appointment to the office of *dean rural* was on no account to be simoniacally conferred:—" *Inhibemus*," says the fourteenth canon of a Parisian council (*A.D.* MCCXII.), repeated *αὐτολαξεῖ* in the sixteenth of the council of Rouen (*A.D.* MCCXIV.), "*ne decanatus rurales ad tempus vel in perpetuum*"<sup>2</sup> *pro*

Pars I. de Archiepiscopato, fol. XXXIX. Eccles. Laws, &c. Vol. II. An. MCCCLXIII.

SS. CC. Tom. XIII. col. 824. 869.

(<sup>1</sup>) See *C. M. B. et H.* Vol. III. p. 73; Thomassin. *V. et N. E. D.* Tom. I. Part. II. L. I. c. v. p. 226. VIII.; and Dr. Whitaker's *Hist. of Whalley*, B. II. c. I. p. 42.

(<sup>2</sup>) Despite of prohibitory canons, certain rents were anciently paid by the *rural deans* of Chester to the bishops of that See; as appears from the following clause in one of their patents, "*Reddendo nihilominus annuos redditus ex dictis decanatibus exeuntes nobis et successoribus nostris debito modo et temporibus consuetis*:" and from the same, or the like clauses, in all other *patents* of the *rural deans*:—in some of which the sum payable is particularly expressed. The rents amounted formerly only to 24*l.* 10*s.* 8*d.*, till about two hundred years ago; when the value of money having advanced, the bishops advanced them to 100*l.*, the sum they had to pay to their archdeacons. Such a reservation of an annual payment out of the *decanal jurisdiction*, although, in common cases, it would be a forfeiture of the office and the power of granting it (by the *stat.* 5 & 6 Edw. VI.), being here founded on ancient custom, does not place it within the prohibitory statute.

See Appendix, Chester Patents.

Dr. Andrew's opinion in Mr. Ledger's Book, penes Registr. Diocæs. Cestr.



SS. CC. Tom.  
XIII. col. 1036.

*pecuniâ vel aliquo pretio alicui conferantur, sicut statutum est in concilio Lateranensi et Turonensi. Eos qui contra hoc venerint decernentes, præter pœnas in conciliis comprehensas, juxta prælatorum arbitrium gravi pœnâ plectendos."* And the eighteenth canon of a Spanish council (*incerti loci circiter A.D. MCCXVI.*) enacts, "*cum archipresbyteratus spirituales jurisdictionem habeant; districtè prohibemus ne archipresbyteratus sub aliquâ pensione ad terminum alicui concedatur."*

The office of *Dean rural*, now-a-days, in England is generally held *durante episcopi beneplacito*. But in the diocese of Exeter it is an annual appointment, and in that of Winchester it is the same, in the instance of the older institution (still nominally kept up); while in the new foundation, under Bishop Sumner, it is of unlimited duration, as in the other dioceses of England.

There are reasons, in the writer's opinion, why *Deans rural* should not be so often as annually changed. To say nothing of the improbability of *all* the clergy of any *Deanry* being equally well qualified, and equally conveniently placed to fulfil the duties of parochial visitation (for where the office is annual it is usually by rotation), it is scarce possible for any *Dean*, however well situated with regard to the parishes subject to his inspection, and bent upon performing the duties of his station, to be really efficient of much good within so short a period of service as one year. He may inspect and order repairs, without doubt, but there is little chance of his seeing them executed before his short-lived authority will have expired. In many cases a second and a third parochial visitation may be required, to insure the completion of necessary alterations and reparations by churchwardens

and others: and how can this be effected upon one consistent plan by an ever-changing functionary?<sup>1</sup>

The Dean rural should be appointed for an indefinite period—that is, for as long as the bishop may think fit to depute to him the trust—which will generally be as long as the Dean is resident within the jurisdiction, and performs the duties of his calling to the satisfaction of his employer—*quamdiù se benè gesserit*.

In some cases it is necessary to divide established rural Deanries into two, three, or four jurisdictions, according to their extent, and to allot a superintendent to each, in order to secure the full advantages of parochial visitation to every church and manse, with as little trouble as possible to the bishop's vicarious inspectors. But whatever the extent of supervision, whether over ten, fifteen, or twenty parishes<sup>2</sup> (few jurisdictions contain less than the first or more than the last number), in every instance, the office will be more efficiently exercised, if it be of unlimited duration. The circumscribed period of his officialty deprives the annually-elected Dean of the great inducement to vigilance and activity, which the more permanent functionary enjoys in the conscious certainty of being able to carry forward and complete any required measures of amelioration by his personal agency.

(<sup>1</sup>) I am told that the system of annual election does not work well in the diocese of Exeter. The responsibility of the office is not duly felt, because it cannot be *effectively* discharged.

(<sup>2</sup>) When the office was revived in the diocese of London about ten years since, the Bishop did not deem it expedient to restrict himself to the ancient division of the diocese into Deanries; but multiplied the number of officers so as to give to each rural Dean the average number of ten parishes.

Atterbury's *Archidiaconal Charge*,  
MDCCVIII.  
*Correspondence*  
by Nichols,  
Vol. II.

The evils of the annual system of election and change are pointed out by Dr. Atterbury in his archidiaconal Charge to the Clergy at Totness: and wherever the officer is subject to yearly mutation, the advice of the archdeacon is worth attending to, as it suggests the only means of palliating an acknowledged imperfection:—  
“When *deans rural* are chosen,” says Atterbury, “it were to be wished that they would, as soon afterwards as conveniently they can, set about the work, without deferring it, as they too often do, to the very time of the expiration of their office; when they have neither leisure nor inclination to make due inquiries, or, at least, due presentments upon them; but satisfy themselves with the promises of the respective persons, incumbents, to set things right, without having time left sufficient to *oblige* them to perform those promises; which are made again, perhaps, to the next *dean rural*, towards the close of his office also, with as little effect as they were to the former: and thus dilapidations and the decays of churches increase without end and without remedy<sup>1</sup>.”

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(<sup>1</sup>) I am informed by the venerable Dr. Barnes, the present Archdeacon of Barnstaple, that Bishop Philpotts has requested that the *rural deans* of the diocese of Exeter may in future remain in office for *three* years, the elections being *triennial* instead of *annual*, in the four archdeaconries of Exeter, Totness, Barnstaple, and Cornwall. (2d Edit.)

# Horae Decanicae Rurales.

## PART IV.

### The Personal Functions of Deans Rural.

#### SECTION I.

##### INTRODUCTORY SUMMARY OF PERSONAL DUTIES.



IF the *personal duties* of the oriental dean rural (if we may so call the Laodicean ΠΕΡΙΟΔΕΥΤΗΣ—the successor of the ΧΩΡΕΠΙΣΚΟΠΟΣ) we have said as much, in our preceding pages, as the brief notices of his office in the records of the Eastern church will warrant. Referring the reader to *Part II. S. I.* of the present work—to the copious notes annexed to Dr. Priaulx's *Brief Account &c.*—to Suicer's *T. E. in voce*—and to Balsamon, Zonaras, Aristenus, Justellus, and Beveridge *ad Can. LVII. Laodicen.* reprinted in the Appendix—for farther information respecting the oriental officer (whose character is no otherwise known to us than by the canon of his primary institution, and the commentaries upon it), we will proceed at once to the *personal functions* of the occidental dean, as exhibited in the definitions and glosses of our ablest canonist, Bishop Gibson, and the authorities cited, or referred to, in his *Codex of Ecclesiastical Law*.

These descriptions summarily dispatched, we will

*Sarum Documents in Append.  
Beverg. Synod.  
dic. Tom. I.  
pp. 479, seqq.  
Tom. II. p. 198.*

*See Part I. § II.  
pp. 8, seqq.*

afterwards take up the canons illustrative of the office in detail—collected, with considerable care, from the whole range of European councils, church-histories, and other authentic documents—and digested and arranged upon such a plan as to afford the clearest and fullest information respecting the *visitation*, *synodical*, and other multifarious branches of the dean rural's *personal duty*:—noticing, in our progress, any occasional points of resemblance between the eastern and western ecclesiastics, which a more particular examination of the *decanal* duties of the Latin church may call to our recollection in the glosses of scholiasts and commentators on the *choroepiscopal* and *periodical* of the Greek.

*Codex I. E. A.*  
Tit. XI II. c. VIII.  
Vol. II. p. 972.

*Decr. Greg. IX.*  
L. I. Tit. XXIV.  
c. IV.

“The proper office of a rural dean<sup>1</sup>, however constituted,” says Gibson, “was the *inspection* of the lives and manners of the clergy and people, within their district, in order to be *reported* to the bishop.” In the body of the canon law (already cited in the Latin, in *Part II.* § I. p. 48.) it is so described; and, in Dr. Field’s version of

*Tractatus de  
Præcedentiis  
et Prælationibus  
Ecclesiasticis,  
Quæst. VI.*  
pp. 38, 39, 40.

(<sup>1</sup>) The personal rank of the rural archpresbyter forms a question, seemingly, of difficult solution to the canonists. After a brief exposition of the opinions of others, Michael Ferro Manrique, a Spanish canonist, thus resolves it:—“*Archipresbyteri rurales seu plebani dicuntur esse in aliquâ dignitate saltem largè, etiam si conventum aut collegium non habeant; sed solum plebem suam et clericos ipsius, quibus præsent:*”—his reasons being—“*quâ tales archipresbyteri habent, qualem jurisdictionem, nedum in sollicitudine et cura divinorum et plebania, verum in renunciando episcopo, et ad illum referendo cuncta, quæ in plebibus acciderint.*” Inasmuch as they are “*præsides et prælati et ordinarii et possunt minora negotia decidere tanquam iudices habentes jurisdictionem, et graviora referre, ergo positi sunt in aliquâ dignitate, &c.*” Lastly, touching precedency, he subjoins, rural archpriests “*tanquam prælati præcedunt omnes in ecclesiis plebis suæ, etiam rectores parochialium.*”



the same title, in the following terms—"That each division of the people of God in their severall limits have their archpresbyter, who may not only take care of the rude and ignorant multitude, but may also with continuall circumspection observe and looke unto the life and conversation of the presbyters, which dwell in the *lessèr titles*, and shew unto the bishop with what diligence each of them performeth the worke of God. Neither let the bishoppe contend and say, that the people committed to his charge need no archpresbyter, as if he himselve were able sufficiently to governe the same; because, though he be exceeding worthy, yet it is fit he should divide his burthens, that as he is over the mother church, so the archpresbyters may be over the people abroad, that the ecclesiasticall care stagger not, or be not too weake in any thing. Yet, notwithstanding, let them referre all things to the bishop, neither let them presume to order any thing against his liking and decree."

The like description of the office is also found in the *Reformatio Legum*, of which I quote Bishop Kennett's version—foreseeing that I shall have occasion to cite many clauses of the Latin text in the sequel:—"That every deanery should have a rural archpresbyter appointed by the bishop, or by the ordinary of the church, whose office should be annual; who, as a watchman, should continually supervise the presbyters, deacons, churchwardens, and sextons, that all of them discharge their respective duty. Who should inquire of all idolaters, heretics, simoniaes, bawds, whores, adulterers, fornicators, persons who had two wives or two husbands, forcerers, witches, calumniators, blasphemers, sodomites, drunkards, forgers, and perjured witnesses in testamentary

Dr. Field of the Church, Booke v. p. 507.  
See Morin. De Sacr. Ordinat. P. III. Exercit. xvi.  
de Archiepisc. cap. II. p. 217. x. Thomassin. V. et N. E. D. P. I. L. II. c. vi. pp. 226, seqq. Duaren. De S. E. M. ac B. L. I. c. viii. p. 22.

Reformatio L.L. Eccles. Tit. de Ecclesiâ et Ministris ejus. c. v.

Parochial Antiquities, Vol. II. p. 368.

causes, and all violators of the ecclesiastic laws, and the injunctions of the bishop. And should have authority to cite before them and to examine all persons suspected of such crimes; and then within ten days should return in writing to the bishop or ordinary of the place the whole matter of the accusation, whether by public fame, or attested by the deposition of witnesses, or justly suspected. And if any person refuse to come to him when duly cited by the apparitor, he shall be censured as contumacious, &c. And within every six months the said rural dean should inform the bishop or ordinary of the place, how many sermons had been preached in his deanery within that space of time."

*Codex I. E. A.*  
Vol. II. Tit. XIII.  
cap. VIII. p. 972.

"And where, in the plan that was under consideration *ann. MDLXI.*" continues Gibson, "the same duty is laid out, it is expressly added,—*But the said dean not to determine any thing in those matters.*"

"This report to be made to the bishop concerning the manners of the clergy, and people, rendered them *necessary attendants* on the episcopal synod or general visitation, which was held for the same end of inspecting in order to reformation: and they might on account of the informations given by them be sometimes called *Testes Synodales*; but not, I conceive, exclusive of the *Testes Synodales* properly so called, or that these succeeded the rural deans in the office of detecting (however those things have been affirmed); since they have no such title given them, in any canon or constitution, that I have met with; and it is also certain, that the calling-out the *Testes Synodales* at synods, was in practice long before the *declining state* of the rural deans." (See *Section III.* EDITOR.)

“But however, at first, the office of rural deans was merely inspection; by degrees they became possessed of a power to judge and determine in smaller matters; and therefore, upon the forementioned rule of the canon law, (quoted entire, with its gloss, in earlier pages, from the council of Pavia *A.D.* DCCCL.), at the words *cuncta tamen referant ad episcopum*, the gloss describes the improvement of their power by custom, *præter minora, quæ ipsi archipresbyteri determinare possunt, cum habeant ordinariam jurisdictionem*:—which is, in effect, the same constitution that we find in the laws of Edward the Confessor, concerning the *Decemvir*, or the *Head-man* of every tything, in the state: *Isti inter villas et vicinos causas tractabant, et secundum forisfacturas emendationes capiebant, et concordationes faciebant, videlicet, de pascuis, pratis, messibus, et de litigationibus inter vicinos, et innumeralibus hujusmodi decertationibus, quæ humanam fragilitatem infestant, et eam incessantè oppugnant. Cum autem causæ majores erumpebant, referebantur ad superiores eorum justitarios, &c.*

*Decr. Greg. IX.*  
*Lib. I. Tit. XXIV.*  
c. IV. EDITOR.

*Leg. Edward.*  
*Confess. c. 32.*  
EDITOR.

“This then was the *standing* office of rural deans,—To inspect the manners of the people and clergy, to determine lesser matters themselves, and to report the rest to their ecclesiastical superior<sup>1</sup>. But, as to other branches of power (such as inductions, inquisitions *de Jure Patronatûs*, custody of vacant benefices, trial of causes by delegation, and the like) which have been

Kennett's *Parochial Antiquities*, Vol. II.  
EDITOR.

(<sup>1</sup>) —“*Recogitare debent archipresbyteri, se esse constitutos pastorum et ecclesiasticorum sui districtûs pastores; ipsarumque parochiarum vice-episcopo directioni intendere; ut vel ipsi defectus corrigant, vel ad minus episcopum de omnibus plenè instruant.*” EDITOR.

Van Espen  
*I. E. U. P. I.*  
T. VI. c. III. p. 30.  
EDITOR.

placed to their account, as *branches of the office*; in these they seem only to have been *occasionally* employed by their ecclesiastical superiors, to whom they swore obedience at their admission. And therefore the saying that they were *sometimes employed* in such matters, would have been less apt to *mislead* the reader, than the representing such duties, wherein they were but *occasionally* employed, as *powers of right* belonging to the office."

"It hath been also affirmed, that *parochial visitations* are part of the office: and it is true, that where the *Lateran* council determines the *retinues* of *visitors*, and allows to *archdeacons* five or seven horses; it is added, *Decani constituti sub episcopis* (al. *ipsis*, in marg.) *duobus equis contenti existant*: but I may venture to say, that, though the said *Lateran* canon is transferred by the *bulk* into the canons of the council of *London*, *ann. mcc.*; yet in all the Provincial and Legatine Constitutions, or the glosses upon them, there is not the least intimation of their being *parochial visitors*, or their having any *concern* therein; which work, by the whole tenor of them, is supposed to belong wholly to *archdeacons*, as the legal administrators of that branch of the episcopal jurisdiction."

Hitherto Bishop Gibson and his authorities.—But, perhaps, it will not be going too far in the humble collector of these notes on the *decanal office of the country*, to say, that the learned canonist, in the foregoing statement, is at issue with other antiquaries, and possibly mistaken.

It is difficult to say what were permanent powers of right, and what of temporary delegation. Strictly speaking, the former were very few; and, such as they were,

perhaps, more extensively annexed to the office on the continent than in England, and in some places here than in others; and so seeming contradictions may be reconciled. "*Circa hæc aliaque jura et officia archipresbyterorum notandum, illa plurimum ex consuetudine, et instructionibus, seu facultatibus, quæ archipresbyteris in singulis diœcesibus dari consueverunt, dependere et variari; adeò ut ex consuetudine aut decreto unius diœcesis quoad similia ad alias diœceses ordinariè non liceat inferre.*"

Van Espen  
*Jur. Eccles.  
Univ. Part I.  
Tit. VI. cap. V.  
p. 31.*

Mr. Somner acknowledges the *undefined* nature of the office of DEANS rural. "Their jurisdiction," says he, "for ought that I can find, is not so certain, nor particularly laid down any where, as it can be said to be, of this or that form, or to be thus or thus bounded out. And therefore as they are generally amotive, and removeable *ad nutum constituentis*, so is it arbitrary to the superior that ordains them, I suppose, with decency and order, what charge or business they shall undergo."

*Antiquities of  
Canterbury,  
Part I. pp.175,  
176.*

Be their powers what they may—we judge of them alone by their exercise; and however subordinate our rural ordinary may at all times, and in all places, have been, the great machine of ecclesiastical discipline having been principally conducted and applied by his agency in *country* districts, he must be viewed as an important personage in the by-gone days of his plenary jurisdiction—such as the following pages will shew him to have once possessed *at least* by episcopal commission. An officer to whose personal vigilance, subordinate to, or a-part from, the archdeacon, as the case might be, the bishop conigned the vicarious visitation of the rural cantonments of his diocese—the supervision of the clergy therein as to manners and function—the detection of vice—the



support of churches and ecclesiastical mansions—and the care of all things which concerned the public worship of Almighty God—cannot have been other than a most influential member of our rural church-police, while capacitated to fulfil and actually discharging such grave and vital duties; and, in the ratio of his *then* importance, an interesting subject of antiquarian investigation to modern ecclesiastics.

## SECTION II.

## PAROCHIAL VISITATION.



O begin with an essential branch (as the writer believes) of the dean rural's personal functions—the cardinal duty on which nearly all the rest depend—*parochial visitation*:—Never at any period, according to the compiler of our *Codex of Church Law*, did the rural archpresbyter attain to the right of *parochial visitation*; though a *parochial visitor*, by episcopal delegation, he has *ever* been, in every Christian country, from his *first* establishment to the *present* time.

“*Archipresbyteris sive decanis ruralibus incumbere curam parochiarum suorum respectivè districtum extra dubium est,*” Van Espen observes, “*adeòque jus est archipresbyteris visitandi dictas parochias, quotiès id necessarium aut utile videbitur, ut debitam parochie notitiam habere queant.*”

“Touching the power and authority of these archpresbyters,” says Dr. Field, “. . . they were twise in the year to *visit* all the churches within the limits subject to them, to see what was there amissè, defective, or weake, that so they might either reforme, supplie, or strengthen the same.”

“By *custom* warranted by *law*,” Mr. Somner writes, “many of them had a kind of jurisdiction<sup>1</sup> to *visit* their

Gibson's  
*C. I. E. A.*  
Vol. II. Tit. XLII.  
c. VIII. p. 972.

*Jur. Eccles.*  
*Univ.* Part I.  
Tit. VI. cap. V.  
p. 31.

*Of the Church,*  
*Booke,* v. p. 507.

*Antiquities of*  
*Canterbury,*  
Part I. p. 176.

(<sup>1</sup>) Dr. Godolphin enumerates the several officers, to whom, under the bishop, the due execution of ecclesiastical laws is entrusted, and who “are to

*Repertor. Canon.*  
Appendix, p. 3.  
(12)—p. 7. (25.)

deanry, and to inquire of crimes and defamations happening in the same, especially by the clergy, and to take cognisance thereof; correcting, for the smaller offences, by themselves; and for the rest, referring them to the superior, the bishop, namely, or archdeacon, at the next synod, chapter, or visitation, reporting unto them what they found, like as did the *Irenarchæ* and *Apparitores* of old, their *notoria* to the magistrate."

"They had *power to visit* and hear causes," says Mr. Johnson, "and a sort of authority, latterward, to correct delinquent clergymen, but not to proceed to censure, &c."

Such an opinion, again, in modern days, the learned civilian Dr. Andrews expresses:—"They had by law *the right of visitation* both of the laity and inferior clergy. In smaller matters they had *a right* of judging; but in those of a higher nature, they were to refer to the bishop, and to follow his directions. They had an *ordinary* jurisdiction within their deanries: their attendants at the time of *visitation* were restrained, and their demands of *procurations* regulated by the canon law."

This early capacity, by Bishop Kennett also denominated *a right of visitation*, and stated to have been long retained, and exercised *ex consuetudine* over all the churches, as well as clergy, of their deanries twice a-year (for all *visitations* were at first parochial), Gibbon, as

*Ancient and Present Church of England*, P. I. c. VIII. p. 64.

Ms. Bodley.  
*Becker's Register*.  
*Diocef. Cestr.*  
p. 73.

*Parochial Antiquities*, Vol. II. p. 360.

to make inspection into the manners of each particular diocese—the chancellor, commissaries, archdeacons, officials, and *deans rural*." And then (25) he says—"for the government of the church, and correction of offences by the aforesaid officers, *visitations* of parishes and dioceses were allowed, that so all possible care might be taken to have good order kept in all places of the diocese." See also Molanus *de Canonicis*, L. II. c. VIII. pp. 158-9.

I have said, altogether denies to deans rural in England. "In all the *Provincial* and *Legatine Constitutions*, and the *glosses* upon them," writes the canonist, "there is not the least intimation of their being *parochial visitors*<sup>1</sup>, or having any concern therein."

Here, however, Mr. Whitaker asserts the bishop of London to have made "a great mistake;" for that the rural dean, as the ordinary and prelate of his deanery, like the archdeacon and bishop, *personally visited* every beneficed clergyman and church; and, like them, had a right to a *procuracion* from each, or one day's entertainment for himself and his attendants. And assuredly, unless invested by the bishop with a *visitatorial* capacity, in some sense or other of the term, rural deans could not have performed their duties of inspection in aidance of their supreme head, the urban diocesan:—acting in whose name, the primary objects of their office was to examine the demeanour of the clergy and the conduct of the laity, and to promote the important interests of religion

*Codex I. E. A.*  
Tit. XLII. c. VIII.  
p. 972.

*History of Manchester*, Vol. II.  
pp. 384. 394.

(<sup>1</sup>) Archbishop Peckham seems to acknowledge them as *parochial visitors* in his letter to Anian bishop of St. Asaph (*A.D.* MCCLXXXIV.), hereafter quoted. He orders them to be *procured for* by the rectors and vicars of the diocese.

In Lyndwood's gloss upon the words *alii ordinarii* in Archbishop Stratford's *visitation* constitution (*A.D.* MCCCLXII.), rural deans are not excluded, though, it must be confessed, they are not named. The glossographer writes—"archidiaconis æquales, et inferiores eis"—which explanation will assuredly admit deanal ordinaries. See the Meath Constitutions, iv. v. vi. beyond.

See Dr. Phillimore's opinion on the power of rural deans to exercise *inspection* by authority of the bishop in the diocese of Lincoln. *Eccles. Gazette*, p.164. March 1839. N<sup>o</sup>. 9.

*CC. M. B. et H.*  
Vol. II. p. 105.

*Provincial. Lib.*  
III. Tit. XXII.  
p. 224.

*Appendix,*  
*Lincoln*  
*Documents.*

*Jur. Ecclesiast.*  
*Univerf. P. I.*  
*Tit. VI. cap. III.*  
*p. 30.*

in both: and the fecondary, to inspect the ftate of the ftructure, and the condition of the furniture, in the rural churches; and to keep the ecclefiastical houfes in good repair.

“*Cum archiprefbyteri omnibus pafioribus et ecclefiasticis fui diftrictus fuperintendere, et invigilare debeant,*” fays Van Efpen; “*attendere quoque, num nihil in parochiis fibi fubjectis, ad earum debitum regimen et curam animarum fpectans negligatur; nihil evidentius, quàm inter primas archiprefbyterorum obligationes, effe parochiarum fibi fubjectarum exactam, et frequentem vifitationem, quâ mediante in notitiam parochiarum venire, et corrigenda corrigere, aut ad epifcopum corrigenda referre queant.*”

Boëhmer. *Juf.*  
*Ecclef. Proteft.*  
*L. III. Tit.*  
*XXXIX. § XXIII.*  
*Codex I. E. A.*  
*Tit. XLII. c. VIII.*  
*Vol. II. p. 969.*

I am inclined to believe that they were *parochial vifitors* of very early days—eftablifhed, in all likelihood, at the abolition of the *chorëpifcopi* to this department of office:—nay, as *periodeutæ*, with whom, in earlier pages, we have endeavoured to affimilate them, they were effentially *vifitors* — “*epifcoporum vicarii, qui regiones epifcoporum circumibant et vifitabant, auctoritate quâdam epifcopali, quâ etiam defectus emendâffe, et alia quæ vifitationum neceffitas poftulabat, peregiffe videntur.*” *Vifitation* was an attribute of their office even before it was delegated to the principal deacons; who, under the title of archdeacons, at their original institution, had no relation to the rural diocefe at large, but only to the epifcopal fee.

Bingham  
*O. E. B. II.*  
*c. XXI. s. 9.*

But that rural deans or archprefbyters, or even *periodeutæ*, ever parochially *vifited* their fubject churches otherwife than by exprefs or implied permiffion and authority of their diocefan, I am far from affirming:—indeed, there is not a tittle of evidence, that they ever



exercised this, or any other branch of duty, except as episcopal delegates “in substitution and vicarage.” So true is it, as asserted by Richard, that rural archpresbyters, deans rural, and foraneous vicars, act not, “*nisi per commissionem, quæ ad episcopi nutum revocari potest*,” like their archetypes the ΠΕΡΙΟΔΕΥΤΑΙ of the east, of whom Boëhmer says, “*Hi vicarii à nutu episcoporum dependebant, omnia ad episcopum referebant, et auctoritate episcopi per diœcesin circumibant*.” (loc. citat.)

In this delegate capacity, prebyters acted as *visitatores* at a very ancient date, in the Western church, as they did under the title of *periœdeutæ* in the East. See Routh’s *Reliq. Sacræ*, Vol. III. pp. 348, 382; and notes to Priaulx’s *Treatise*, N°. XXXIII. The bishop had power granted to him by the fourth council of Toledo<sup>1</sup> (*A.D.*

*Analysis CC.  
Gen. et Part.  
Tom. III. p. 36.*

*H. D. R. Vol. II.  
Appendix, Sarum  
Documents.  
SS. CC. Tom. VI.  
col. 1461.*

*Of the Church,  
B. v. p. 509.*

(<sup>1</sup>) According to the decree and direction of the Toledo Council, “we shall find,” says Dr. Field, “that bishops hindered by other employments, sickness, weakness, or age, so that they could not go in person to visit their churches, sent some of their *chief presbyters* or deacons, but especially the *chief deacons*, to performe the worke of visitation for them; because they being the *chief* among the deacons, which are but church-servants, were more attendant about them for dispatch of all publick busineses, than presbyters. These *chief deacons*, or archdeacons, at first they sent onely to visit, and to make report, but not to sententiate any man’s cause, or to meddle with the correcting or reforming of any thing; but afterwards in proceſſe of time they were authorized to heare and determine the smallest matters, and to reforme the lighter and lesser offences: and therefore in the councill of Laterane under Alexander the Third, it is ordered that the archdeacon shall not give sentence against any one. But in the councill of Rhoane it is appointed, that the archdeacon and archpresbyter shall be fore-runners to the bishop, and shall reforme the lighter and smaller things they finde to be amisse.”

“Hence

DCXIII.), of investing *presbyters* or deacons, vicariously, with the exercise of parochial *visitation*:—every diocesan being, by himself or deputy, obliged to *visit annually* all the churches and parishes of his diocese. “*Quod si ipse aut languore detentus, aut aliis occupationibus implicatus, id explere nequierit, presbyteros probabiles (probabilis vitæ. Burchard. L. 1. c. LXXXVII.) aut diaconos mittat, qui et reditus basilicarum, et reparationes, et ministrantium vitam inquirant:*” Can. XXXVI.—“which is the original,” says Bishop Stillingfleet, “of the archdeacon’s *visitation* ;” and, I would add, of the *Dean rural’s*, in the Latin church.

*Ecclef. Cafes,*  
Vol. I. p. 77.

The council of Chalon in France protects the parochial clergy from the intrusion of civilians in the character of *visitors* (at variance alike, says the canon, with established custom, and canonical regulation) unless specially invited by the *archpresbyter* of the district;—which would indicate that the local clergy were, there and at that time, subject to the latter’s peculiar and exclusive inspection under the diocesan bishop: Can. XI. In the same office of *personal visitation* Rheginon associates the *archpriest* with the bishop and archdeacon at a later date.

*De Disciplin.*  
*Ecclef. Lib. II.*  
No. LVII.

Agreeing, then, with the bishop of London in his

“Hence in time it came, that archdeacons much used by bishops, as most attendant on them in the visitation of their churches, and reforming some smaller disorders, at length by prescription claymed the correction of greater things, as having of long time put themselves into the exercise of such authority. And thus the deacons, or at least the chiefs of them, the archdeacons (which at first might not fit in the presence of a presbyter, but being willed by him so to doe) in the end became, by reason of this their employment by the bishop, to be greater, not onely than the ordinary presbyters, but than the *archpresbyters* themselves.” &c. —See Bishop Marsh’s *Charge to the Clergy of Peterborough*, MDCCXXXIII. pp.16, seqq.

unqualified negation of all power in rural deans to *visit de jure* (if such be the author's meaning in the above-cited passage) independent of the diocesan, at least in England (for to the canons and customs of his own country alone Gibson alludes); we will proceed to adduce, in chronological order, such memoranda of *visitatorial measures* conducted by deans rural, as the councils of Great Britain and the continent present; in order to shew the important fact, that they did *visit* "by substitution and delegation" under the sanction of the church<sup>1</sup>—beginning with a curious manual of instructions to deans—" *Capitula quibus de rebus magistri et decani per singulas ecclesias inquirere, et episcopo renuntiare debeant*" ) from Hincmar, archbishop of Rheims, bearing date *A.D.* DCCCLII.—the earliest, I believe, on record for regulating rural-decanal inquiries by *visitation*. From this document, which the reader will find in the Appendix, it is evident that rural deans, established in their deanries, made annual parochial *visitations* in France, in the middle of the ninth century: and, from the obligation imposed on them to deliver yearly in July their *visitatorial returns* to the archbishop, may be inferred the vicarious character of their inspectional journeys.

Out of this Rhemish *formula* of the middle of the ninth

Hincmar *Oper.*  
Tom. I. *Capitula*  
et *Coronationes.*  
SS. CC. Tom. X.  
col. 5, seqq.

Bœhmeri *Jus*  
*Ecclesiast. Protestant.*, Lib. III.  
Tit. XXXIX.  
§ XXXV.

(*Commissio pro*  
*visitatione pa-*  
*rochiali.*)  
Gibson *Cod.*  
*I. E. A.* Append.  
p. 1550. XVIII.

(<sup>1</sup>) The power of the diocesan bishop to delegate to archpresbyters rural his *visitatorial* right of parochial inspection, as often as may be expedient for the due conservation of the churches and manes of his diocese, cannot be doubted—when he can do it to *any presbyter-rural*;—and the same is capable of such a commission of *visitation*. The bishop of Chichester authorised two clergymen (*A.D.* MDCLXXXVI.) to *visit* every church, parsonage-house &c., within an archdeaconry of his diocese, and to make their return to him, or his vicar-general.

century, probably, sprung the more copious instructions of Rheginon towards its close—" *Instructio de his, quæ in visitationibus ecclesiarum episcopum vel ejus ministros per rivos, pagos, et parochias suæ dioceseos inquirere olim oportuit.*" The latter table is supposed by Baluzius *ad Reginon.* p. 533. to have been in general use in Western Europe; though the abbot of Prüm compiled his *Disciplina Ecclesiastica*, more especially, for the German churches.

The celebrated council of Rome under Alexander III. (A.D. MCLXXIX.) writing expressly on the subject of *visitation*, and confirmed by our own provincial council of London (A.D. MCC.), under Archbishop Hubert, and by the *Legatine Constitutions* of Cardinal Othobon (A.D. MCCLXVIII.), sets a limitation to the *visitatorial* retinue of rural deans, as well as that of superior church-dignitaries:—" *Quocirca statuimus quòd archiepiscopi parochias visitantes, pro diversitate provinciarum et facultatibus ecclesiarum, quadraginta vel quinquaginta erectionis numerum non excedant: cardinales verò viginti quinque non excedant* (these are omitted at London); *archidiaconi quinque aut septem; decani, constituti sub ipsis, duobus equis existant contenti.*" And why should the canon be thus restrictive upon the latter functionaries, if they never visited parochially? "*His omnibus,*" subjoins Thomassin, "*jus erat visitationis et procurationis;*" and to all alike is forbidden, in their retinue, the <sup>1</sup>accompaniment of

SS. CC. Tom.  
XIII. col. 419.  
can. IV. *Anal.*  
R. de Hoveden  
*Script. post. Bedam,* p. 807.

V. et. N. E. D.  
de B. P. III.  
L. II. c. XXXIII.  
V. III. p. 376.

Collier's *Eccles.*  
*Hist.* Appendix,  
A.D. MCLXXXII.  
Hen. II. 29.

(<sup>1</sup>) Three years after this council of Lateran, the following curious indulgence to the Berkshire clergy was issued by Pope Alexander:—

"ALEXANDER PAPA CLERICIS,  
PER ARCHIDIACONATUM BERKESIRE CONSTITUTIS,  
INDULGET NE CANES, VEL ACCIPITRES  
ARCHIDIACONO EXHIBEANT.

"ALEX-



hounds and hawks, frequent appendages of dignity in those days, both in lay and clerical life: "*nec cum canibus venatoriis et avibus proficiscantur, sed ita procedant, ut non quæ sunt sua, sed quæ Jesu Christi quærere videantur: nec sumptuosas epulas quærant, sed cum gratiarum actione recipiant, quod honestè et competenter fuerit illis ministratum.*" And to archdeacons and rural deans, in particular, exactions on the clergy are strictly inhibited in the sequel of the same council—"Archidiaconi verò, sive decani nullas exactiones, vel tallias<sup>2</sup> in presbyteros, sive clericos exercere præsumant." See Boëhmer "*de censibus*,"

"ALEXANDER EPISCOPUS, servus servorum Dei, dilectis Filiis Clericis, per Archidiaconatum Berkesfirc constitutis, Salutem et Apostolicam Benedictionem.

"Cum nobis sit, quamquam immeritis, omnium Ecclesiarum cura commissâ; sicut officii nostri debito, cogimur providere ne subditi superioribus debitam reverentiam subtrahant et honorem, ita quoque volumus præcavere, ne a majoribus subditi valeant indebite prægravari; ea propter, quieti vestræ paterna sollicitudine providentes, auctoritate vobis Apostolica indulgemus, ne Canes vel Accipitres ARCHIDIACONO vestro cogamini exhibere, nec eum pluries, quam semel in anno recipere, tunc ei per diem unum et noctem necessaria ministraturi, cum septem tantum equitaturis, et personis totidem, et tribus servientibus peditibus.

"Nulli ergo hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire.

"Si quis autem hoc attemptare præsumperit, indignationem Omnipotentis DEI, et beatorum Petri et Pauli, Apostolorum ejus, se noverit incursum.

"Dat. Lateran. viii. KL. Martii.

"*Filis sericis coloris flavi.*"

(<sup>2</sup>) Tallia—"Census vel tributum quod viritum exigitur." Spelman. *Gloss. Arch. in voce.* "Exactio, impositio"—Ducang. *Gloss. M. et I. L. in voce.*



*exactionibus et procuracionibus,”* in *Jus Ecclesiasticum Protestantium*, Tom. III. Lib. III. Tit. XXXIX. § CI. p. 633.

All these *visitors*, as above stated, were allowed their customary *procurations*, originally in provisions, but subsequently in pecuniary composition<sup>1</sup>; the churches to be *visited* having the privilege of withholding payment unless the duty of *visitation* was duly performed; “*cum procuratio aliud non sit*,” says Peter Quivil in the Exeter synod (A.D. MCCLXXXVII.), “*nisi sustentatio visitantis*.” To the like purport a continental synod of the same year (*Statuta Synodalia Ecclesiæ Meldenfis* (A.D. MCCLXXXVII.)), in its twenty-fifth canon, writes—“*Prohibemus ne archi-*

CC. M.B. et II.  
Vol. II. p. 151.

Whitaker's *Hist.*  
*of Manchester*,  
Vol. II. p. 385.  
See also John-  
son's *Eccles. Laws*,  
V. II. A.D.  
MCCCXXXVI.  
note.

Sext. Decr. I. III.  
Tit. XX. c. I.

Gibson's *Codex*  
*I.E.A.* Tit. XLII.  
cap. III. p. 958.

(<sup>1</sup>) Visitation procuration became gradually so fixed and certain, that it was frequently redeemed, or changed into a pecuniary payment, observes Mr. Whitaker, as early as the year MCC.; and has long settled into a positive sum. It was very wisely appointed at first, as a provision for the maintenance of the ordinary and his attendants during the time of visitation, and to preclude that natural fear of expence which might abridge the frequency, and contract the particularity, of this useful exertion of discipline. But this end is now answered no longer. The first departure from the designation reduced it into a pecuniary payment. Custom soon ascertained the particular sum. And the lowered value of money has rendered the latter insignificant. It is no longer sufficient for the purposes, for which it was originally imposed. And the very useful, the parochial, visitation has therefore contracted itself into little more than a formal and hasty one by *deaneries*. Visitations are now, for the most part, synodal, and not parochial—in consequence of the visitor availing himself of the indulgence which the law grants in special cases, where every church cannot be conveniently repaired to: “*et si commodè vel absque difficultate accedere ad unamquamque non poterit; de pluribus locis ad unum congruum clericos et laicos studeat convocare, ne in illis visitatio postponatur*.” From this indulgence, and the great extent of dioceses and jurisdictions beyond what they originally were, grew the custom of citing the clergy and people to *attend visitations* at *particular* places. See Gibson's note *ad can.* LX. (A.D. MDCLII.)

*diaconi vel decani rurales aliquas exigant procuraciones, nisi legitime visitaverint. Prohibemus sub penâ suspensionis subditis eorum, ne solvant procuraciones, vel aliquid loco procuracionis, nisi legitime visitantibus. Ita cum requisiti fuerint, super hoc, si opus fuerit, fidem faciant sacramento, ne prædicti archidiaconi vel decani numerum in Lateranensi concilio constitutum excedant. Et moderatas faciant expensas, ne longi temporis victum brevis hora consumat.*" And another synod at the same place in its ninety-fourth canon, *de procuracione decanorum*—"præcipimus presbyteris omnibus ne recipiant decanos ad procuraciones, nisi cum duobus equis; quod si contrarium factum fuerit, contra presbyterum et decanum graviter procedemus."

*Theaur. Anecd.* Tom. IV.  
col. 897.

col. 906.

Restrictions are indiscriminately passed on archidiaconal and decanal *visitations* by the councils of the day;—that they be not onerous to the clergy in point of expence; while, at the same time, it is enacted, that, at all events, they be performed. So, that of Le Mans (*A.D. MCCXLVII.*), in its canon *de officio decanorum*, orders, "*ut decani quamlibet sibi subjectam ecclesiam visitent annuatim personaliter et prioratus: et si procuraciones voluerint omittere, nullatenus tamen visitationem omittant.*" That of Saumur (*A.D. MCCLIII.*) not only confirms the canons of earlier synods, pertinent to these matters, obliging the functionaries in question to an observance of them, but particularly, and by name, forbids to rural archpriests the substitution of officials in *parochial visitation*, personal ministrations being their bounden duty.

*Statuta Synodalia Eccles. Cénomaniensis.*  
*Thef. Script. Veter.* Tom. VII.  
col. 1401.

*SS. CC.* Tom.  
XIV. col. 138.  
can. VIII.

The canon *de officio archipresbyterorum* of the synod of Clermont (*A.D. MCCLXVIII.*), so corroborative of the *visitatorial power*, and declaratory of the points of inquiry, to which the attention of the deans was to be directed,

*SS. CC.* Tom.  
XIV. col. 399.  
can. VIII.

claims our special notice :—" *Statuimus ut archipresbyteri quamlibet sibi subjectam ecclesiam visitent annuatim personaliter. Et si procuracionem omittere voluerint, nullatenus tamen visitationem omittant. Item inquirant summarie de omnibus notoriis: et si quid est quod scandalum generet ibidem in populo, sive clero, et quod per se non poterunt corrigere, nobis vel officiali nostro referant infra mensem: ut secundum relationem ad plenam inquisitionem descendamus, et corrigamus, sicut nobis videbitur expedire.*

" *Item quærant, utrum ecclesiis vel prioratibus impositæ fuerint novæ impensiones ab abbate, vel ab alio aliquo, absque consensu nostro. Et si invenerint, nobis renuncient fidelitèr absque morâ.*

" *Item præcipimus, quod archipresbyteri, quandò procuraciones recipiunt, duorum equorum numerum non excedant, prout in Lateranenſi et in provinciali concilio est statutum. Et si exceſſerint, procuratio denegetur.*" The canon then proceeds to prohibit them meddling with judicial causes without special mandate, on pain of excommunication; or uttering interdict or excommunication, except by the authority of their superiors, &c.

The synod of Saintes (A.D. MCCLXXXII.) forbids all pecuniary composition, (which had, indeed, been previously restricted till *after visitation* performed, for fear of abuse), and enjoins archdeacons and archpriests to be satisfied with two *fercula* by way of provision, to sojourn with the *visited* only one night, and to abstain from extortion of every kind. That of Liege (A.D. MCCLXXXVII.) orders, that no allowance whatever be made to the same personages "*ratione visitationis, nisi ad ecclesias specialitèr visitationis causâ venerint vel acceſſerint.*" "*. . . . et cum archidiaconi vel decani rurales visitaverint,*" says another

*Stat. Synod.  
Ecclef. Leodi-  
ensis, can. vi.*

*SS. CC. Tom.  
xiv. col. 1135.  
xiv. iii. See  
also Theſaur.  
Anecdôt. Tom.  
iv. col. 494.*

canon of the same church, "*et ad aliquam ecclesiam pervenerint, quæ visitanti per se ad aliqua non sufficit, tunc duas vel plures conjungant, et eas uno die visitent, et tunc expensas illius visitationis ab ipsis ecclesiis visitatis pro rata cujuslibet recipiant, nec aliquam pecuniam ab ipsis ecclesiis habeant, quam quod expensæ illius visitationis solvantur.*"

In the diocese of St. Asaph (*A.D. MCCLXXXIV.*), the rural deans or local officials are ordered, by the letter of Archbishop Peckham, addressed to the diocesan bishop and clergy, to be *procured for* by the rectors and vicars—"Decanos verò rurales vel officiales locales volumus à rectoribus et vicariis procurari, nisi fortè ab iisdem pro necessitate aliquà invitentur." See also the Chichester Synodal Statutes of Bishop Richard de la Wich (*A.D. MCCXLVI.*)—Archbishop Stratford's Visitation Canon (*A.D. MCCCXLII.*)—Lyndwood's gloss in *v. alii ordinarii*; and the "*Instructio Decanorum tam in cursu visitationis, quàm extra,*" in the *Statuta Synodalia Ecclesiæ Meldensis* (*A.D. MCCCLXV.*), in our Appendix.

But the most important of all documents, in corroboration of the *visitatory* capacity of rural deans, or, at least, second only to the quoted canon of the great Lateran council (*A.D. MCLXXIX.*), is the "*Constitutio Benedicti PP. XII. super procuracionibus visitantium*" (*A.D. MCCCXXXV.*)—wherein, among the *procurations* of other ecclesiastical visitors, those of rural deans, "*qui in aliquibus regionibus archipresbyteri nominantur,*" are authoritatively regulated and established,—the same being in England the sum of ten turons, at the rate, as the Pope informs us, of twelve turons to the floren of Florence (4s. 4d. Spelman in *v.*). The passage is so explicit on the subject, that I extract it:—"Illud quoque, quod archidiaconis

*CC. M. B. et II.*  
Vol. II. p. 105.

*CC. M. B. et II.*  
Vol. I. p. 690.

*Provincial.*  
p. 224.

*Theaur. Anecd.*  
Tom. IV.  
col. 926.

*CC. M. B. et II.*  
Vol. II. p. 580.

Johnson's *Eccles.*  
*Laws*, Vol. II.  
ann. MCCCXXXV.

*SS. CC.* Tom. xv.  
col. 421.



*superiùs duximus ordinandum, locum habere volumus in decanís, præpositis, aliisque personis ecclesiasticis superiùs non expressis, quibus visitationis officium et procurationis receptio ex privilegio apostolicæ sedis, vel de jure, seu de consuetudine, competere dignoscitur: decanís ruralibus dumtaxat exceptis, qui in aliquibus regionibus archipresbyteri nominantur; circa quos, in receptione hujusmodi procurationis, id quod statutum est de aliis archipresbyteris, volumus observari."*

Nor are their *visitational* dues forgotten in the plan of reformation, compiled by the bishop and chapter of Liege (A.D. MCCCXLVI.), and confirmed by Pope Nicholas V. Two new species of perquisites are there allotted to our *deans of Christianity*, entitled *cathedraticum* and *obsonium*; but they are to be satisfied with a quarter of the archidiaconal dues:—"Ne decaní Christianitatum" (called in the next clause '*decaní rurales*') "*sub colore visitationis ficto, vel illius remissione recipiant de suis quartis capellis pecunias annuas, nisi personalitèr visitaverint, et cum effectu. Et tunc stent contenti quartâ parte illius, quod archidiaconis pro integrâ ecclesiæ visitatione debetur. Et idem volumus observari in solutione obsonii et cathedratici ipsarum quartarum capellarum dictis decanís faciendâ.*"

Before we finish what is hitherto unnoticed, in councils of later date, of the inspectional duties of *deans rural*, we must recur to the famous Irish *Constitutions* (first published by Archdeacon Wilkins from a *MS.* in the bishop of Clogher's possession); in which is seen the fullest account of any of our insular councils of the duties of *archipresbyteral visitation*, as exercised in certain parishes of the diocese of Meath, during the episcopate of Simon de Rochfort (A.D. MCCXVI).



The *fourth, fifth, and sixth* constitutions particularly specify the subjects of examination at the annual *visitation*s of rural archpriests; omitting altogether other *visitors* of every denomination.

“IV. *Ut archipresbyteri quotannis, et sæpiùs si opus fuerit, personalitèr visitent statum et conditionem omnium ecclesiarum infra suos decanatus; et si qua ecclesia reparatione indigeat, hortentur gregem Dominicum ad earum reparationem, actaque visitationis ad nos in proximâ synodo transmitti curent. Videant etiam an domus pastorum et capellanorum sint sartæ tectæ; corruptelas morum in populo reformare studeant, et si quas absolvere nequeant, ad synodum dioecesanam referant, ut de iis emendandis cum concilio cleri deliberare possit.*

CC. M.B. et H.  
Vol. I. p. 547.

“V. *Item ut procurent fidele transcriptum ad nos in synodo transmitti de statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et supellectilium in ecclesiis infra suos decanatus, et de iis reficiendis, quoties expedit, statuantur.*

“VI. *Curent insuper pœnitentias canonicas à nobis vel officialibus nostris impositas delinquentibus debitè, et eâ, quæ decet, solemnitate peragi, et perimpleri in ecclesiis infra suos limites, quibus ipsi cum presbyteris parochialibus interfint, tanquam testes, ut quâ humilitate et devotione pœnitentiæ laboribus defuncti sunt, testificare possint.*”

The *eleventh* constitution, copying the Lateran canon already cited, inhibits “*exactiones vel tallias* :”—from the frequent repetition of which interdictory clause in the councils of the time, it is manifest that, both here and abroad, our archpriests were wont to transgress in that respect. Indeed, it was to correct abuses of this kind, before the issuing of the Lateran edict, that a certain

Dr. Brady's  
*Hist. of Eng-*  
*land*, p. 309.

*Chronica Ger-*  
*vassii, Scriptores*  
x. col. 1411.

*Defensive*  
*Doubts, Hopes,*  
*and Reasons, &c.*  
pp. 49, 50.

*SS. CC. Tom. IX.*  
col. 826.

number of *visitors* were appointed, under Henry II. (A.D. MCLXX.), to an inquisitorial tour through the different counties of England, and instructed "to enquire, in every bishopric, what, and how much, and for what cause the archdeacons, or rural deans, took of any one; and the whole was to be written down:" or, in the words of the original chronicler, "*quid, et quantum, et quâ de causâ, archidiaconi vel decani injustè et sine judicio ceperint—et hoc totum scribatur.*"—for, at that date, these officers of the church held their judicial courts of Christianity, occasionally, at the times of *visitation*.

From the fact of the issue of this commission of inquiry, our *suspicions* are, at least, excited of the purity of the archpresbyteral character here at home: but in the Gallican church, the charges are positive and highly criminatory of the *visiting* archpriests<sup>1</sup>,—losing nothing of their heinousness in Ley's amusing version of the original anecdote of "the zealous preacher in the councill of Rhemes"—who "complained that the archpresbyter went about in *visiting* of his circuit, selling all fortes of finnes, murder, adultery, incest, sacrilege, perjury, and thereby filling his purse; the same whereof coming to the eare of the bishop, hee sends for him, that hee may have a

(<sup>1</sup>) Indeed, in very early days, it was arraigned—the latter part of the second chapter of the second council of Aix-la-Chapelle (A.D. DCCCXXVI.) condemns the avarice of archpresbyters and other episcopal servants in its fourth canon:— . . . "*Comperimus quorundam episcoporum ministros, id est chorepiscopos, archipresbyteros, et archidiaconos, non solum in presbyteris, sed etiam in plebibus parochiæ suæ avaritiam potius exercere, quàm utilitati ecclesiasticæ dignitatis inservire, populi que salutis consulere. Quam negligentiam, immò eorum execrabile ac damnable cupiditatis vitium omnes in commune deinceps vitandum statuimus &c.*"

share with him: upon demand he denieth, upon denial they wrangle: but at last hee knowing that if the bishop be against him hee must forgo his gaine, hee yieldeth him a part: and so, faith that preacher, are Herod and Pilate reconciled against Christ.” But let us have the original—“*Archipresbyter circuit obedientiam sibi creditam; et ut impleat saccum suum, tradit sanguinem justum. Vendit nempe homicidia, adulteria, incestus, fornicationes, sacrilegia, perjuria; et usque ad summum implet manticam suam. Famâ igitur volante innotescit episcopo talis quæstus; et accersito archipresbytero: ‘Da mihi,’ inquit, ‘partem meam.’ At ille: ‘Nihil dabo tibi.’ E contra episcopus: ‘Si non dederis mihi,’ inquit, ‘partem meam, auferam tibi omnia.’ Fitque altercatio maxima, et propter avaritiam fit discordia. Postea vero archipresbyter revolvens secum, quod auctoritate episcopi fungatur potestate istâ, et quod sine gratiâ ipsius nihil possit; perversè conversus: ‘Pœnitet,’ inquit, ‘me, accipe partem tuam et insuper de meâ quod beneplacitum fuerit;’ et reconciliantur. Heu! sicut Herodes et Pilatus reconciliati sunt, et Christus crucifixus est; sic nihilominus isti reconciliantur, et pauperes Christi spoliati sunt.”*

This was, indeed, in the language of the pastor of Great Budworth, “lashing out beyond their line;” and if there were any chance of a recurrence of such abuses, “either by the connivence, or by the corruption of the bishops in later times,” it is well “that the archpresbyters have had lesse to doe, and so done lesse evil”.<sup>1</sup>

(<sup>1</sup>) To check the like abuses in the visitational circuits of commissaries and officials, Bishop Freak suggests the propriety of instituting deans rural or superintendents within the diocese of Norwich (*A.D.* MDLXXX). Of the visitations of the former he says—“What felling of the people’s sins, without any regard or consideration of duty at all; what unfiling of

*Sermo cujusdam ad Cler. in Conc. Rhem. in Oper. S. Bernard. col. 736. Tom. II.*

*Defensive Doubts, &c. p. 49.*

*Strype’s Annals of the Reformation, Vol. II. P. II. p. 696.*

Return we now from these corrupt practices of our predecessors in office, (and, criminal as they were, they still shew the responsible *visitatorial* character of the person exercising the functions of archpriest, and are so far to the point,) to the period at which we suspended our investigation of the personal duties of *deans rural*, for the sake of reviewing the Meath canons.

In the ecclesiastical councils of the fifteenth century (to proceed chronologically), the same inhibitory clauses, as we have before cited from earlier councils, continue to be applied to archdeacons and rural *deans*, relative to *procurations*. The council of Tours (*A.D.* *MCCCCXLVIII.*) enacts that there be no payment without due previous *visitation*. "*Archidiaconi, archipresbyteri, decani, et alie personæ ecclesiasticæ de jure aut consuetudine ecclesias visitantes si non debitè visitaverint, nihil percipiant &c.*" And the provincial council of Angers of the same year again places the greediness of *deans* and others in *procurational* matters under restraint:—"Prohibemus ne de cætero dispensatione legitimâ super hoc cessante, archidiaconi, archipresbyteri, decani, ultra unam procuracionem recipere unâ die, sive unum locum visitatum, sive plura etiam loca visitare sufficeret, ad procuracionem integram persolvendam, quoque modo præsumant; nec etiam si non debitè visitabunt, quidquam percipiant." See also *Appendix, Concil. Constantiensis*, L. v. c. II. (*A.D.* *MCCCCXVI.*)

The "*constitutio*" of Cardinal Campegius "*ad remo-*

of verdicts for money; what manifold corruptions and briberies are used by abuse of registers; all the whole country, with detestation, seeth. And thereupon most men, by the abuse, do utterly contemne all ecclesiastical government."

*SS. CC. Tom.*  
*XIX. col. 76.*  
*can. IX.*

*SS. CC. Tom.*  
*XVI. col. 1121.*

*Fasciculus Re-*  
*rum, p. 425.*



*rendos abusus*" (A.D. MDXXIV.) ratifies to rural deans an authoritative inspection of the property of the church in the following clause:—"Domas quoque, fundosque dotales beneficiorum collapsos instaurent possessores, quantum necessitas postulaverit, reparataque in debitâ structurâ conferrent, et per archidiaconos et decanos rurales, ac alios, ad quos de jure vel consuetudine spectat, ubi negligentes fuerint, per subtractionem proventuum, auctoritate nostrâ, arctius compellantur." The same inspectional duties are imposed on rural deans in the *Liber Synodalis* of the bishop of Seez (A.D. MDXXIV.)—"Quòd singulis mensibus decani rurales habeant visitare suos decanatus, casus, crimina, et excessus subditorum inquirendo. Quòdque ecclesiarum rectores de suorum parochianorum delictis et excessibus publicis et scandalosis ipsos decanos informare studeant, sub pœnâ 50 solidorum Turonensium. Qui decani nos et ecclesiam nostram episcopalem Sagiensem terminis sibi præfixis informare tenebuntur."

CC. Rotomag.  
Prov. P. II.  
p. 437. Synodi  
Sagienses.

"Item volumus eosdem decanos (ut meliùs crimina, casus, et excessus subditorum cognosci valeant) in quâlibet visitatione ad minus interrogent decem personas fide dignas, notabiles et omni exceptione majores, de statu et regimine nostrorum subditorum in eodem loco manentium: atque de prædictarum constitutionum, et aliarum per nos aut prædecessores nostros constitutarum observatione."

The synod of Augsburg (A.D. MDXLVIII.), in its seventh canon, orders archpresbyters to visit parochially twice a year; and whatsoever corruptions, spiritual or temporal, they cannot personally correct, to present officially to the bishop at the episcopal see, if urgent, or at the next following diocesan synod, if there be no danger from procrastination:—and this they are to do in obedience

SS. CC. Tom.  
XIX. col. 1301.



to their oath. Moreover, they are specially charged, in their *visitation* progresses, to see that no images or pictures be erected in their district churches, without the previous permission of the bishop; and to collect all heretical works, and uncanonical liturgies and ordinations, and to send them to the bishop without delay.

Plenary power of *visitation* is granted to rural deans in the German churches by the *Formula Reformationis* of the same year, under the head *de Visitatione*:—*Decani rurales, territorii, seu regimacula suæ ecclesiæ singulis quibusque annis visitare debent. Ad hoc enim negotium in partem sollicitudinis episcopalis vocati sunt.*” Indeed, they are tied down to the same form of *visitation* inquiry in their several subdivisions of the diocese, as the bishop in the whole:—“*Ad hanc formam visitent quoque, et inquirant, ac pœnitentiam injungant archidiaconi et decani rurales in suis regimaculis; graviora verò, et quæ per seipsos emendari nequeunt, referant ad episcopum, et synodum episcopalem, publico judicio submittenda, eorum enim visitationes parvæ quædam et particulares sunt synodi, synodo majori subjectæ, et secundum ejus judicium dirigendæ.*” See also *Synodales Constitut. Arboricensis Diœcesis* (A.D. MDL.) Statut. xxxix. CC. Rotom. Prov. P. II. p. 289; and the Statutes of the diocese of Lisieux, in the same collection, p. 481.

As *visitors*, again, they are acknowledged, in the provincial Scotch council held in Edinburgh (A.D. MDXLIX.), whose duty it is to see that the dress of the clergy be in all respects canonical—“*super quibus per singulos decanos in eorum visitationibus, et si quis fuerit, fiat diligens inquisitio, &c.*” (can. iv. *de vestibus clericorum*). And again (can. XIII. *de visitationibus*) it is decreed, . . . . “*Quia*

*Reformationis  
Formula &c.*  
p. 28.  
Lovanii,  
MDXLVIII.

CC. M. B. et H.  
Vol. IV. p. 48, 49.

*nonnunquam publici excessus, tam majores quàm minores, per Decanos et alios visitatores occultari et dissimulari dicuntur, eò quòd pecuniarios quæstus à concubinariis et adulteris accipere non erubescant, faciendo eos in tali fœditate fordescere, quod Decani ante susceptionem sui officii jurent de fidei ejus administratione in omnibus, et cum excessus majores eorundem commissariis deferunt, non priùs recipiantur ab eis, quàm illi denuò jurati fuerint, quòd omnes et singulos excessus majores, tam publicos quàm privatos, sibi per assisas et inquisitiones utrobique delatos, absque gratiâ et favore, prece vel pretio, nullis penitus omiſſis, commissariis tradant, qui si reperti fuerint in præmissis culpabiles, perjurii, amissionis officii, et aliis arbitrariis pœnis per ordinarium infligendis subjaceant; et super hoc sollicitè inquirant commissarii, prout domino ordinario sunt responsuri:”* and lastly, in a council of the same province (A.D. MDLI. confirmed A.D. MDLIX.) it is ordered (can. XIV. *de clandestinis matrimoniiis, et bannis, et registris curatorum*) that the Deans rural of the province “*in suis visitationibus diligentem indaginem faciant, et deficientes ad commissarios referant,*” &c.; and they are farther noticed in the eighth and ninth canons in the same capacity.

What *visitatorial* jurisdiction the rural Deans of the diocese of Chester enjoyed during the existence of the unlimited *ordinary* powers of the archdeacons of Richmond and Chester, and while they were within the diocese of Lichfield and Coventry, it is now impossible to ascertain: but since the foundation of the new bishopric, many of the *ruri-Decanal patents* granted by the bishop, and confirmed by the Dean and chapter of the cathedral, appear in their books, and some few of the *patents* themselves.

CC. M. B. et II.  
Vol. IV. pp. 71,  
72.

See Appendix,  
Chester Docu-  
ments.

From these it would appear, that much of the surrendered jurisdiction of the old archdeacons was delegated to the *deans rural* (all having merged in the bishop by the charter of foundation); and the archidiaconal *right of visitation* continued to survive in the *visitational powers* of the *deans rural*; who, whatever they may have done in earlier days, certainly, after the change of the ecclesiastical regime, being armed with an episcopal jurisdiction by virtue of their patents and the usage of the archdeaconries, as *vicarii episcopi*, visited their *deanries* twice a-year, *convened before them the churchwardens*, received their presentments, and corrected upon them all offences ecclesiastical (incest, adultery, and some others excepted), and proved the wills and granted administrations of all persons whose effects amounted not to 40*l.* (knights, esquires, and clergymen, excepted); and, in case any persons whatever subject to their visitations refused attendance at them, the deans proceeded against them by ecclesiastical censures, in the same manner as the bishop or his vicar-general does upon an episcopal visitation. They were also entitled to the usual places of judicature for holding their visitations; and if they were obstructed therein by any person subject to their jurisdiction, they might admonish, and, upon non-compliance, excommunicate. For the oath of canonical obedience is not personal to the bishop, but to his jurisdiction, and extends to an obedience to the rural *deans* who act by his authority.

Ms. Ledger-  
Book *ex Registr.*  
*Diocef. Cestr.*  
pp. 71, 73.

It is probable that the *deans* possessed these powers *ab antiquo*; for, in a *patent* granted to a chancellor of the diocese only twenty years from the first foundation of the See, after a *general* grant without exceptions, there

is an *additional* one made to him of the place of rural dean of three rural deanries, “to do all things which *ab antiquo* belonged to that office,” specifying in detail these *visitational* duties. And again, in the document drawn up at the convention of the bishop and deans rural in the palace at Chester, *A.D.* MDXCIV., the deanal power of *visitation* is distinctly set forth, and the particulars thereof enforced in the way of order or monition from the diocesan to the rural deans.

See Appendix,  
Chester Documents,  
No. III.

The rural dean of Chester (for the twelve deanries are now consolidated) continues his *visitation-court* (*A.D.* MDCCCXXX.) for swearing in churchwardens, proving wills, and granting administrations, where the effects are under 40*l.* And over the eight deanries of the archdeaconry of Richmond, an officer bearing the title of commissary presides, invested with the deanal jurisdiction of testamentary matters, *visitational* duties &c.<sup>1</sup>, but in which capacity he *visits parochially* does not exactly appear. Mr. Ward, in his evidence before the ecclesiastical courts' commissioners, “apprehends that he *visits parochially*, as commissary.”

Eccles. Courts'  
Report,  
MDCCCXXXII.  
Mr. Ward's Evidence,  
p. 181.

Ejusd. p. 190.

The council of Trent continued to rural deans the power of *visitation* under certain regulations, established in their twenty-fourth session:—“*Archidiaconi, decani, et alii inferiores in iis ecclesiis, ubi hactenus visitationem exercere legitime consueverunt, debeant quidem assumpto Notario de consensu episcopi deinceps per seipsos tantum*

Synod. Trident.  
sess. XXIV.  
cap. III.  
SS. CC. Tom. XX.  
col. 158.

(<sup>1</sup>) It is customary in the diocese of Chester, before episcopal *visitations*, and preparatory thereto, for *inhibitions* of the rural dean of the archdeaconry of Chester, and of the commissary of the archdeaconry of Richmond, to take place.

Eccles. Courts'  
Report, p. 346.



*ibidem* visitare:" and they were to transmit their *visitation-acts*, inquisitions, and all other instruments, to the diocesan bishop, within a month. The particular objects of attention to the *visitors* are pointed out, as being, to preserve sound orthodox faith, to expel heresy, to support morality, to correct vice, to exhort people to religion, innocency, and peace; and, as occasion might require, and prudence dictate, to promote the general interests of the Christian community. From the persons *visited parochially*, throughout their respective districts, the officers were not to receive any thing but "frugal and moderate diet, which might be given," in Brent's version, "either in kind or money; yet so, that if there was a custom in any place not to receive so much as these, it was to be observed."

*The Historie of  
the C. of Trent,*  
p. 786.

SS. CC. Tom.  
XX. col. 1397.  
cap. VI.

Van Espen *Jur.  
Eccles. Univ.*  
Part I. Tit. XII.  
cap. I. p. 57.

The Cambray council (*A.D.* MDLXV.) bids the *deans* of Christianity ("decani rurales quos Christianitatis appellant") to *visit* their district schools every six months, or, at least, once a-year, and diligently to certify the ordinary of their state of discipline. Indeed, it appears from Zypæus that a *concordate* was entered into between the bishop and the archdeacons of the diocese of Cambray, that *neither* should *personally visit*, but that the *deans* of Christianity should be the *visitatorial representatives* of each, by mutual agreement.

*Decreta Synodi  
Cameracensis,*  
fol. 3. c. I. II.

Accordingly, in the *Acts* of the diocesan synod under Archbishop Maximilian (*A.D.* MDLXVII.), the *visitatorial* duties of the archpresbyters or *deans* of the *parochi* are thus laid down:—"Cap. I. *Cum archipresbyteri munus sit ecclesiarum quarundam sollicitudinem gerere, easque singulari quâdam annuâ visitatione recognoscere. Volumus et mandamus, ut quàm diligentissimè advigilent ne quid in illis*



*ecclesiis desit, quod ad divinum officium pro sua dignitate peragendum requiritur.*” “Cap. II. Cum autem DEUS in spiritu et veritate adorandus sit, sollicitè etiam prospiciant decani nostri in ecclesiarum visitatione—An non irrepererint in eas aliqua superstitiosa et vana, in cæremoniis, processionibus, peregrinationibus, imaginum et reliquiarum ac sanctorum veneratione, quibus mentes Christianæ à sincero Dei cultu sensim dimoveri possint. Ubi verò hujusmodi aliquid compertum habuerint, volumus nobis nostrisve vicariis quamprimum denunciari &c.”

The synod of Salzburg (A.D. MDLXIX.) orders the appointed *visitatores* of the diocese to solicit all the information they can from the archdeacons and rural deans, in furtherance of their *general parochial visitation*; and then proceeds to say, that the *special visitations* of these inferior officers are not thereby superseded; but that they are to be executed by them notwithstanding, and the results of their inquiries to be laid before the superior visitors within a month. Moreover, the council enacts, that the rural deans themselves shall be visited, and examination made “*de illorum officiis, an eisdem satisfaciant, et quomodo, an sint sufficientes, solliciti, prudentes, expediti, et justii, vel injusti, avari, munerum cupidi, pœnas pecuniarias imponentes, personarum acceptores, delicta non punientes, sed dissimulantes, justitiam et æquitatem petentibus morem non gerentes, et ad id genus alia, quæ ad se spectant, præstent, necne.*”

*Constitut. et Decret. Synod. Salisburg. Const. LXII. cap. VI. p. 320. et cap. XIV. p. 326.*

*SS. CC. Tom. XXI. col. 608.*

The Malines council (A.D. MDLXX.) promulgates the Trent decrees respecting *visitation* generally; and orders that rural deans, where they were not in the habit of *visiting* churches, should be immediately invested with that power;—the bishop taking care that their *procura-*

*Stat. Synod.  
Diœc. Yprenf.  
Tit. VII. c. XIII.*

cap. XX. See  
also cap. XXI.

*SS. CC. Tom.  
XXI. col. 462.*

tions (“*subsidia visitationis*”) should be sufficiently remunerative for the labour and expence of *visitation*; and that whatever was immoderate in the way of charge upon the clergy, should be corrected.

The statutes of the dioceſan ſynod of Ypres (A.D. MDLXXVII.) ratify the like capacity of *visitation* to *deans* of *Christianity*, on the authority of the Trentine fathers; —the biſhops delegating to their rural deputies the right of *viſiting* the churches of their *deantries* on ſuch years as they themſelves are unable to *viſit*: on which occaſions the *deans* are to follow the rules of epifcopal *visitation* laid down by the council of Trent—the ſubſtitutes acting in the name and by the authority of their employers, and being fully capacitated to carry forward the whole *viſitational* inquiry into the conduct of church-officers, the condition of church ornaments and utenſils, the ſtate of church-fabrics, parſonages, &c. For all which vicarious trouble, it is decreed—“*Ut in nullâ parochiâ etiam ſi minima ſit, decano ſecundùm præſcripta ſtatuta viſitanti, detur infra octo aut decem ſtuferos: in nullâ autem, etiam maximâ, accipiat ultra dalerum vel coronatum: in mediis verò ſervetur mediocritas, habitâ ratione laboris et conſuetudinis.*” Any extraordinary labour is to be paid for in *extra procuration*. See alſo *Stat. Synod. Diœc. Yprenf.* (A.D. MDCIX.) Tit. III. cap. VI. and, particularly, in the documentary Appendix, the extract from the *Decreta et Statuta Primæ Synodi Diœceſanæ Brugenſis, A.D. MDLXXI. De diverſis decanorum Chriſtianitatis officiis*. The duties of *visitation* are there ſo minutely detailed, I have thought the document worthy of being copied.

A few years later, Charles Borromeo, in the fifth council of Milan (A.D. MDLXXIX.), impoſed on his *Vicarîi*

Foranci the inspection of the rural clergy, their churches, church-furniture &c., by *personal visitation* and examination, conducted according to the items of the following manual of instructions:—The *Foraneous Vicars* are to inquire—

..... “*Qui parochorum in primis zelus in animarum salute procurandâ ; quæ in sacramentis ministrandis sedula diligentia ; quàm frequens in pascendis verbo DEI fidelibus officium ; quæ denique in omnibus parochialis muneris partibus vigilantia, quære assiduitas. — Quæ populi in Christianæ caritatis operibus exercitatio, quàm religiosus festorum dierum cultus, quàm pia in ecclesiis conversatio, quæ in doctrinæ Christianæ scholis frequentia : tum de aliis piis sodalitatibus disquirant, tum denique de reliquâ omni ejusdem populi disciplinâ, et in viâ domini progressu.*

SS. CC. Tom.  
XXI. col. 462.

“*Post videant, qui singularum ecclesiarum, præsertim parochialium status, an si quæ instaurationem desiderant ; an debito cultu fraudantur ; an sacris vestibus, ornamentis, supellectileque ecclesiasticâ, ad cultum necessariâ, instructæ sunt ; an denique ullâ ex parte incultæ.*

“*Postremò an si aliqua sunt provincialium, diœcesinarumque synodorum decreta, edicta, visitationum præscripta, aliave episcopalia jussa, quæ executionem non habeant ; quid item impedimenti, aut difficultatis, aut denique cause sit, quamobrem eorum executioni non sit locus, &c.”* (See also on *Foraneous Vicars*, their qualities, and *inquisitorial* duties, the council of Rome under Benedict XIII., SS. CC. Tom. XXI. col. 1864.)

Again, the council of Rouen (*A.D.* MDLXXXI.) orders, in its twenty-seventh canon, that *deans* rural follow the canons of inquiry there copiously laid down for episcopal visitation, “*et visitationis à se factæ infra mensem rationem*

SS. CC. Tom.  
XXI. col. 637.

*reddent episcopo, et depositiones testium, ac integra acta ei exhibere tenebuntur.*" (CC. Rotomag. Prov. Part I. 214.)—and the like charge is imposed on them by the council of Tours (A.D. MDLXXXIII.), SS. CC. Tom. XXI. col. 850; and of Malines (A.D. MDCVII.), SS. CC. Tom. XXI. col. 1462.—the latter publishing certain heads of inquiry for the use of the archpresbyters in their *visitation* proceedings.

Lunichii II.  
*Spicileg. Eccles.*  
p. 183.

In the seventeenth and eighteenth centuries we find the same trust continued to them. In the *Spicilegium Ecclesiasticum* of Lunig, these precepts are recorded as given to *decanal visitors* of Julien and its surrounding district (A.D. MDCII.)—"Decani exigant à scabinis et juratis tabellam Bregh Zettul (*h.e. specificationem delictorum judici denuntiatorum*) aut copiam authenticam. Ut viri zelosi et integri in fide scabini synodales eligantur. Ut communia puncta et interrogatoria scabinis communicent, super quibus tenebantur facere inquisitionem et dare informationem."

Stat. Synod.  
Dioc. Ypres.  
Tit. XVIII.  
c. VI.

A chapter of the diocesan synod of Ypres (A.D. MDCIX.) prolongs to *deans* rural the *visitatorial* powers they enjoyed by the earlier synod of MDLXXVII: and a subsequent council (A.D. MDCXXX.) makes them downright *inquisitors* into the manners and habits of the rural clergy, the employment of their time at home and abroad, their studies, hours of confession, &c. &c.; all which they are to pry into, by the most searching personal *visitation*.—The synod of Antwerp (A.D. MDCX.) confers on them the fullest *visitation* authority; and bids them lay their *acta visitationis* before the bishop—. . . "Visitantibus verò decanis ruralibus, tanquàm à nobis missis, omnem debitam reverentiam et assistentiam ad exequendam commissionem à

Stat. Synod.  
Dioc. Antwerp,  
pp. 328-29.

Tit. XXIV. cap.  
III. p. 385.



*nobis injunctam exhibeant,*" says Miræus, "*et si aliqua ad reformationem aut bonum ecclesiæ facientia sciant, benevolè suggerant.*" See also *Ordinationes Joannis Malderi Episc. Antwerp. (A.D. MDCXXX.)*

A chapter of the synod of Bois-le-duc (*A.D. MDCXII.*) is expressly dedicated to archipresbyteral visitation :—"Archipresbyteri, seu decani parochias sibi commissas cum Xenodochiis, capellis, et confraternitatibus, assumpto secum notario, vel saltem aliquo presbytero, quotannis secundum instructionem illis dandam, auctoritate nostrâ visitent, ac de vitâ, fide, et moribus parochorum, sacellanorum, custodum, ludimagistrorum, ædituorum, ac gubernatorum mensæ Sancti Spiritûs, reliquorumque incolarum sese diligentèr informent, ac advertant, an piis foundationibus, eleemosynis, et oneribus beneficiorum et officiorum ecclesiasticorum laudabiliter satisfiat, itemque utrùm ecclesiæ reparatione egeant, et cœmeteria benè occlusa sint: nec sacramentalium et ornamentorum ecclesiæ, atque scholarum visitationem prætermittant &c."

*Statuta Synodi  
Buscoducensis,  
Tit. xv. cap. iv.  
p. 85.*

A canon *de visitatione* of the council of Bourdeaux (*A.D. MDCXXIV.*) associates our rural archpresbyters with other ecclesiastic *testes* for the more effectual conduct of parochial inquisition.—Cap. XXI.—III. "Archipresbyteri seu decani in singulis diœcesibus constituti, jugi circumspeditione mores clericorum, statum et ordinem parochiarum, ac etiam laicorum, sollicitè observent et prospiciant, deque iis omnibus singulo quoque mense episcopum certiore faciant. Et ne propter archipresbyteratûs distantiam minus officio suo satisfacere possint: in cujuslibet archipresbyteratûs tractu, duo rectores aut plures pii ecclesiastici testes synodo diœcesanâ ab ordinario nominati et electi, archipresbyteris seu decanis adjungantur, qui zelo regiminis ecclesiastici inflammati, sedulò invigilent, et ordinarium statis temporibus,

*SS. CC. Tom.  
xxi. col. 1595.*



*de statu, conditione, et excessibus hujusmodi archipresbyteratûs certiores faciant: possintque ordinarii archipresbyteris, decanîs, et testibus synodalibus inquisitionum seu informationum conficiendarum, sine alio speciali mandato, facultatem, quo citius quæcumque vitia purgentur, et cuncti in ordine contineantur, concedere: quas inquisitiones et alias probationes ab iisdem perfectas, teneantur officiales recipere, et ex iisdem ad alia juris remedia procedere."*

*Stat. Synod.  
Dioc. Audom.  
Tit. XVIII. c. IX.  
p. 88.*

*Van Espen  
I. E. U. Pars I.  
Tit. VI. cap. III.  
p. 30.*

The synod of Saint Omer (A.D. MDCXL.) writes—  
*"Decanî in visitationibus suis scholas non prætermittant, sed singulis semestribus visitent, et accuratè inquirent, &c."*  
 —That of Namur (A.D. MDCLIX.) admonishes all archpresbyters, *"Ut annales visitationes obeuntes, et aliàs diligentèr inquirent, quibus rebus pastores se impendant, ut si quos otio deditos repererint, ne nihil agendo malè agere discant, eos actionibus ecclesiastico homine dignis incumbere, et per bona opera certam suam vocationem facere procurent &c."* The same duties are imposed by the synod of Bruges—  
*"Sedulo inquirent archipresbyteri in suis visitationibus de vitâ, doctrinâ, et moribus curatorum et aliorum presbyterorum; ac præceptorum seu magistrorum; et cujus sint qualitatîs, fidei, et nominis ac famæ."* And the synod of Ypres legislates with the same degree of latitude and particularity.

*Tit. VII. cap. II.  
apud Van Espen.*

The latest instructions to *deans* rural of the diocese of Malines enforce *visitation*—*"Ut potissimam officii sui partem, visitationem curent archipresbyteri, sedulo, accuratè, et cum timore DEI perficere, et præcipuè invigilare, ut altaria et sacramentalia, ipsaque templa nitida serventur, pastoresque ipsi, quoad obligationes et functiones suas pastorales exacti sint et diligentes, an quo studio, quove exercitio otium pellant. Quarè non plures uno die visitabunt ecclesias, quàm*

*commodè possint.*" And farther—that timely and seasonable repairs of ecclesiastical houses be attended to, and their fabric not allowed by gradual decay to fall into utter ruin and waste, the synod decrees—"Archipresbyteri, ubi ipsis id juris ex consuetudine competit, domos pariorum et beneficiariorum singulis annis seriò visitent; et quandò eas reparatione indigere advertent, eam mox fieri mandent et non obedièntes denuncientur episcopo, vel ejus vicario generali, ut ad debitas reparationes faciendas, prout juris et rationis fuerit, compellantur, et pro præteritâ negligentia etiam puniantur<sup>1</sup>." (Tit. XXII. c. VII.)

"Les Doyens de la Chrétienté et ruraux," says the synod of Bayeux (A.D. MDCLXII.), "*auront soin de faire une fois l'an les visites de presbytères, de dresser leurs procès verbaux de l'état auquel ils les trouveront, et les mettront aux greffes de nos officialitez, &c.*"

Again,—the Synodal Decrees of the archbishop of Cologne (A.D. MDCLXII.) order—"Ut de pariorum, vice-pariorum diligentia, et ætatis tenerioris profectu nobis constare possit, decanî rurales quoties visitant, convocatâ juventute breve examen catecheticum instituant: quidquid verò memorabile contigisse notaverint, in Acta suarum visitationum nobis &c. . . exhibenda referant;"—and subsequently the same institutes detail the points of inquiry to be particularly attended to by the deans visiting their parochial clergy. See Part II. Tit. v. c. VI. II.

Our next examples are adduced from the Anglo-Gallic

*Ejusd. P. II.  
Tit. XXXIV.  
c. VIII. p. 674.  
ex Synodo  
Mechlin.*

*CC. Rotomag.  
Prov. P. II.  
p. 252.*

*Decr. Synodal.  
D. Maximil.  
Henr. Archiep.  
Coloniens. Tit. II.  
cap. X. II. p. 13.  
See Stat. Dioc.  
ces. Gandav. Tit.  
XVI. c. III. p. 74.  
A.D. MDCL.*

(<sup>1</sup>) In the pastoral letter of the Belgian primate (A.D. MDCC.) the archpriests are charged "*Ut diligentiores magisque exactas per districtus suos instituant visitationes juxta earundem visitationum interrogatoria typis edita &c.*"

*Alterâ Epistola  
Pastoralis Dom.  
Humb. Gulielm.  
Arch. Mechlin.  
p. 68.*

*A Humble Proposal for Parochial Reformation &c.* by I. M.  
p. 35.

Heylin's *Life of Laud*,  
MDCXXXVII.

*Cæsarea* by  
Falle & Morant.  
*Appendix*, No. X.  
p. 206.

Berry's *Hist. of Guernsey*,  
p. 241.

isles of Jersey and Guernsey—which were anciently, we are told by an anonymous author, two rural deanries of the bishopric of Constantia, in the dukedom of Normandy, and their sole *visitors* in church affairs, their respective *deans*, each possessing the same power as our chancellors and archdeacons at present enjoy. Nor is their ecclesiastical constitution otherwise altered in modern days, than that they are members of the diocese of Winchester; having been annexed thereto soon after the Reformation<sup>1</sup>. Their jurisdiction was then settled, fees were appointed to the *deans*, and a revenue established; but the functionaries themselves were then, and still remain, accountable to their diocesan bishop for the due performance of their *visitation* charge, like the corresponding officers in England.

The duties of these *deans* rural, in respect of *visitation*, are thus expressed in the twenty-third rule of the *canons and constitutions ecclesiastical* granted to the isles, in the reign of James the First: "*Le Doyen accompagné de deux ou trois ministres visitera une fois en deux ans chaque paroisse en sa personne, et donnera ordre qu'il y ait presche le jour de la visitation, ou par soy même, ou par quelqu'un par luy appointé; et se fera la dite visitation pour ordonner que toutes choses appartenantes à l'église, au service de DIEU,*

(<sup>1</sup>) King John had it in contemplation to place the islands under the diocese of Exeter; and Henry VII. actually procured the Pope's Bull for placing them within the jurisdiction of Salisbury; which he cancelled, and obtained another for Winchester. But this last, though even entered in the then bishop's register (Langton), never took effect; and Queen Elizabeth at last fixed them in that see. The Bull of Pope Alexander VI., for transferring them from Constance to Winton, may be seen in Falle's *Appendix*, N<sup>o</sup>. IX. p. 195.

*et administration des sacremens, soyent pourveûes par les surveillans, et le temple, cimetière, et maison presbytériale soyent entretenues et réparées : et aussy recevra information des dits surveillans (ou faite à iceux à faire leur devoir) du ministre, de toutes offences et abus qui seront à réformer en aucun, soit ministre, officiers de l'église, ou autres de la paroisse ; et recevra le dit doyen pour la dite visitation 40 sols de la rente du Thrésor à chaque fois.*—Equally extensive are the powers bestowed on the Dean of Guernsey in the commission of Bishop Brownlow North to Dean Durand,—“in his stead, authority, and name, according to law, to *visit* the churches and other ecclesiastical places, and the clergy and people subject to his jurisdiction &c. &c.” Indeed Dicey says, “The Deans of both the islands pretend that their office carries with it *all* delegated jurisdiction, without any need of permission or commission from the bishop;” and if so, they are *visitors de jure*—nay, I have been told, that they can *prescribe* against the bishop?

Berry's *Hist. of Guernsey*, p. 263.

Dicey's *Hist. of Guernsey*, p. 51.

Towards the close of the seventeenth century, Bishop Seth Ward of Sarum invested his Deans rural with considerable *visitation* powers; as the following *formula of instructions* indicates. They were authorized—“1. *To view infra Decanatum*—churches, chancels, parsonage and vicarage-houses, hospitals, almshouses, church-houses, and free schools, *semel in 6 mensibus, saltem in anno*, and to present decays to the Bp or chancellor.”

Notitiæ Sethi Episcopi Sarum, fol. 339. See Appendix, Salisbury Documents.

“2. *To observe*—parsons, vicars, curats—as to conversation, performance of duty, conformity to laws, diligence in reading service, administering sacraments, preaching, catechising, preparing for confirmation, marryeing &c.”—“churchwardens, as to performance of duty—schools



masters, as to teaching and catechising scholars, bringing to church on Sundays and holydays; and to acquaint the Bp̃, if amiss."

"3. *To examine* differences, and compose or delate to Bp̃, reports of scandalous offences *contra Leges Eccles.*"

"4. *To execute, or cause to be executed*, mandates, orders sent *immediatè ab episcopo, mediante archidiacono.*"

"5. *To acquaint* Bp̃ if any conventicles, disorders &c."

"M̃. hospitals—terriers—registers of christenings, marriages, burials."

CC. M. B. et H.  
Vol. IV. p. 642.

In the convocational proceedings about rural deans in England (*A.D.* MDCCX.), the second resolution of the *Upper House* suggests the propriety of a canon declaratory of the *visitatorial capacity* of deans rural:—"To enquire into the manners of the clergy and people, to *visit* and examine the state of parochial churches and chapels, with the chancels of the same, together with the ornaments and utensils thereunto belonging, as also the manners of rectors and vicars, and all ecclesiastical endowments &c. &c." To which resolution the *Lower House* desires an amendment to the effect that rural deans should be first "*duly commissioned* by the bishop or archdeacon, or other ordinary," so to *visit*:—indicating thereby that rural deans have no such power by virtue of their office; and anticipating, perhaps, that the exercise of it, as a matter of right, independent of special commission, would interfere with the privileges of archdeacons. While, at the same time, the *Lower House* acknowledges the obligation of rural deans to execute the commission of *visiting* parochially, whenever enjoined so to do by superior authority.

So the matter at present rests. No constitution has



ever been drawn up to ratify any part of these Proceedings of Convocation ;—which, of course, leaves the rural decanal capacities just as they were before the royal mandate issued.

Two documents alone, on the topic of decanal *visitation*, remain unnoticed—the one domestic—the other foreign. The first is a clause of Bishop Gibson's published *Instructions to Rural Deans of the Diocese of London* :—"The dean rural is likewise, as occasion shall require, to inspect the churches, chancells, and chapels, and the houses belonging to the parsons and vicars within his district, and to give information of their decays and dilapidations to the ordinary."

Gibson *Codex*  
*I. E. A.* Append.  
§ xv. c. xix.  
p. 1550. See  
*London Documents* in Appen-  
dix.

With the foreign canon, we close our long catalogue of authorities ;—and worthy of particular notice it is, as reviving the eastern title of *protopresbyter* in application to the dean rural. It is the ninth canon—*de protopresbyteris, sive decanis ruralibus*, of the council of Reussen (*A.D.* MDCCXX.)—" *Præter ea, quæ à sancto synodo ad officium protopresbyteri spectare constitutum est, ut scilicet diligentè referant ad ordinarios, si quos decretorum synodaliū violatores, si quos officii parochialis negligentiores, si quos popinarum frequentatores, percussores, aut aliàs scandalosos, sive presbyteros, sive laicos, sub suâ jurisdictione compererint ; illud omninò addendum censuit debere eos episcopo, vel alteri visitatori assistere per suum decanatum, ut ipsum de statu ecclesiarum, et moribus ministrorum instruere possint.*"

Manfi *Suppl. ad*  
*SS. C.C.* Tom. vi.  
col. 352.

" *Insuper teneantur visitare proprium decanatum anno subsequenti visitationem generalem, non solum, ut de iis, quæ modo diximus, ac de cæteris, quæ continentur in instructione generali diligentè inquirant ; verùm etiam ut decreta,*

*et reformationes ejusdem generalis visitationis executioni mandari curent. In obeundâ hâc visitatione, caveant, ne quid prorsus accipiant, aut extorqueant, præter victualia pro suâ, alteriusque domestici personâ, ac duobus equis; alioquin præter pœnas, quas statuit sancta synodus titulo sexto gravissimè ab episcopo puniantur."*

That we have adduced evidence enough, in the many pages devoted to the subject, of "a sort of *visitatorian capacity*," in rural deans of ancient and modern days, the reader will readily acknowledge. The capacity can be no longer doubted. The church, in her conciliar decrees, has acted upon it for more than a thousand years—nay—from the first institution of the office in the east and west, with little or no interruption, to the present hour. Tedious though the enumeration of authorities be in proof of the fact, I could not otherwise have established a controverted duty of the last importance. While endeavouring to do so, I have cited many items of deanal service connected with and performed during *visitation* progress, and thereby have added somewhat to the reader's knowledge of the personal functions of the rural archpriesthood.

But, whatever may have been the pristine character of that power, when these now humble functionaries were linked with archbishops and cardinals, and their retinues made the subject of canonical limitation throughout Western Europe, as we see they were—if it ever attained to the dignity of an ordinary jurisdiction (which on the continent it seems extensively to have done), it was only locally and partially so in England, and, for the most part, of short-lived exercise. Not so the archidiaconal power of *visitation*;—this, like the deanal, originally a

*delegate* jurisdiction emanating from the bishop, became by *continual* grants an *ordinary* one, and eventually almost (in many places, quite) extinguished the other<sup>1</sup>.

But here it must be observed, that the vicar of Ambrosden, who considers the antiquity of *deans* rural greater than that of archdeacons, looks upon the former as the earliest *rightful parochial visitors* under the diocesan bishop, and supposes them to have lost their privilege of *visitation* in the way following. "When archdeacons grew up to be vicars-general of the bishop and ordinaries in the diocese, then they assumed to themselves so much of the *visitatorian* power, that the rural *deans* could no

*Parochial Antiquities*, Vol. II. p. 360.

(<sup>1</sup>) See Van Espen *Jur. Eccles.* P. I. Tit. XII. c. I. § VI.; Boëhmer *Jus Eccl. Protestant.* L. I. Tit. XXIII. de *Officio Archidiaconi*, Tom. I. p. 545, seqq., and L. III. Tit. XXXIX. Tom. III. p. 578.

*Ecclesiastical Courts' Report*, MDCCCXXXII. p. 85.

*Deans* rural in no cases, I believe, *visit* peculiars. Even bishop's peculiars are *not visited* by them. In the diocese of Exeter there are thirty-six episcopal peculiars, which are *visited* by no *deans* rural; and are indeed so far exempt from the jurisdiction of the bishop himself, that he never *visits* them, even in his triennial visitation. Parochial churches within peculiars are generally in most wretched condition. Such jurisdictions should be abolished: discipline can never be sustained effectually, while they exist. In the *deanry* over which the writer presides, there are three of these ecclesiastical anomalies. To one of which there is, probably, no counterpart in all England;—it is a parish wherein a Roman-catholic peer is both lay-rector and lay-bishop, and appoints, or not, as he chooses, a stipendiary chaplain over many hundred Protestant souls. The church is ruinously dilapidated: and its doors have been closed against the church-going population for nearly two years (Sept. MDCCCXXXIV.)—See Bishop Burnet's account of the origin of these blemishes of our Ecclesiastical Constitution, in the *History of the Reformation*, Vol. I. Book III. p. 522; Vol. V. Book VI. p. 634. Oxford Edit. MDCCCXXIX. See *H. D. R.* Vol. I. P. IV. S. V. c. VII. § 6. also *Acts and Proceedings of Convocation* under Cardinal Pole MDLVII. "*De abusibus et capellis Sancti Johannis et similibus.*"

Cardwell's *Synodalia*, Vol. II. p. 488.

*Charge to the  
Clergy of Sur-  
rey, on Paro-  
chial Visitations,*  
p. 10.

longer *visit*, but in subordination to these new masters; and, as a mark of inferiority and subjection, they were allowed to go their circuit with two horses only, when the archdeacons might have five or seven. This dependency and limitation of power restrained the rural deans from the desire of being *visitors*; and therefore, to ease themselves of the trouble, and their clergy of the expence, they let fall this jurisdiction by consent, and left this necessary care of all the churches solely to the archdeacons next under the bishop:” whose *right* and *duty* it now is, according to the constitution of the church of England, to inspect the churches and chancels, with the ecclesiastical houses and possessions, in the several parishes within their jurisdiction. To which Gibson adds, as a farther illustration, that it is these *parochial visitations*, and not such *visitations* as are now held by archdeacons (which seem to be only the remains of the ancient synods) that our ecclesiastical laws ordinarily mean, when they speak of archidiaconal *visitation*; and that it is on account of the same *parochial visitations*, and not of these, that the archdeacons claim and enjoy their *procurations*. Such *visitations* as are now held by archdeacons, are more like general chapters of the clergy, anciently held by the rural deans, in their respective deanries; at which the constitution of Otho required the archdeacons to be often present; and they being superior to the rural deans, in point of jurisdiction, grew by degrees to preside over them, and from thence to have the sole authority in them;—that authority passing, by a kind of devolution, from the rural deans to the archdeacons. See also *Codex I. E. A.* Tom. II. p. 969. Tit. XLII. cap. VIII.



When, however, their own power of parochial *visitation* was thus, in Kennett's phrase, interfered with, it appears, from an epistle of Robert Grosseteste<sup>1</sup>, bishop of Lincoln, to his archdeacon, that the deans of the country were still employed to convocate the rural clergy to episcopal *visitations* ;—" *Vobis mandamus decanos archidiaconatus vestri præmoneatis, ut prompti sint ad convocandum coram nobis prædictos rectores, vicarios, et sacerdotes locis et temporibus quibus eis mandabimus, ne in prædicando aut aliis exequendis quæ ad nostrum spectant officium, inveniamus impedimentum.*"—This duty they had shared with archdeacons, probably, from their first institution :—for in the seventh century the archpriest or the archdeacon are charged, by the sixteenth canon of the council of Rouen (A.D. DCL.), to be personally active in the performance of such preliminary measures, and to prepare the clergy and people for the arrival of their diocesan pastor in *visitation*.—" *Cum episcopus suam diocesim circuit, archidiaconus vel archipresbyter, eum præire debet uno aut duobus diebus per parochias quas visitaturus est, et plebe convocata annunciare debet proprii pastoris adventum, et*

*Fasciculus Rerum in Append. T. II. p. 340. Anglia Sacra, F. II. p. 347.*

*SS. CC. Tom. VII. col. 406.*

*See Reginon. de Discipl. Ecclæs. Lib. II. ab init. Burchard, Lib. I. cap. xc. p. 11.*

(<sup>1</sup>) In the early *Articles of Enquiry at Visitation* (the earliest, indeed, in the councils of Great Britain, save those of Hugh de Welles, A.D. MCCXXX, to his archdeacons, CC. M. B. et H. Vol. I. p. 627), addressed by this learned prelate to his church-officers (seemingly, from the leading article, of laical character), the first is—" *De vita archidiaconi et suæ familiæ.*" The second—" *De decanis*" (rural deans) "*qualiter se habeant in officiis suis.*" And in the general *Inquisitiones de clericis et laicis* of the year MCCLIII, recorded in the same annals (p. 325), there is one item of examination "*De vita et honestate archidiaconorum, decanorum, et clericorum qui ministrant in ecclesiis, et de ministris et famulis personarum et aliorum :*" and another, "*An decanus et alii conspirationem fecerint ante adventum episcopi.*"—p. 326.

*Annal. Monast. Burton, p. 317. anno MCCLII. Inquisitio in Cler. Lichfield.*



*ut omnes, exceptis infirmis, ad ejus synodum die denominatâ imprætermisè occurrant. Et omnimodis ex autoritate ss. canonum præcipere, et minacitèr denunciare debet, quod si quis absque gravi necessitate defuerit, proculdubiò à communione Christianâ sit pellendus. Deinde accitis secum presbyteris, qui in illo loco servitium debent exhibere episcopo, quidquid de minoribus et levioribus causis corrigere potest, emendare satagat; ut pontifex veniens nequaquàm in facilioribus negotiis fatigetur, aut sibi immorari ampliùs necesse sit ibi quàm expensa sufficiat. Ait enim Dominus ad Moysen de hujuscemodi cooperatoribus, ‘ut tecum’ (inquit) ‘sustinent onus populi, et non tu solus graveris;’ et beatus Joannes Baptista adventum Domini præcurrit prædicando dicens: ‘Pœnitentiam agite,’ &c. Et iterùm, ‘Parate viam Domini,’ &c.”*

Tit. xxiv. cap.  
ii. p. 385.

Lastly, the diocesan synod of Antwerp under Miræus (A.D. MDCX.) decrees—“*Beatus ruralis præmonitus à nobis, suos pastores moneat ut episcopo visitaturo, omnia quæ ad visitationem spectant, præparent; eisque in eam rem mittat instructionem à nobis præscriptam.*”

In the ninth century, rural archpriests had the honour of *entertaining* the bishop on occasion of his *visiting* for parochial confirmation:—when, it will be seen, the council of Pavia (A.D. DCCCLV.) catered most liberally for the episcopal guests and retinue:—“*Statuimus, ne episcopi, quandò pro confirmando populum, parochias circum-eunt, archipresbyteros suos gravent, ut hujusmodi dispensâ*

SS. CC. Tom.  
ii. col. 1165.

*contenti sint: Panes centum, fristringas<sup>1</sup> quatuor, vini sextaria quinquaginta, pullos septem, ova quinquaginta, agnum unum, porcellum unum, annonam ad caballos modios sex, fœnum corr.<sup>2</sup> tres (fœni corbes), mel, oleum, cera, quod sufficit*"—<sup>3</sup>a fair allowance of entertainment, it must be

(<sup>1</sup>) *Fristringas*—written also *frijkingas* and *frefcengias* (see Sirmondi *notæ ad capitula Karoli Calvi et successorum*, p. 8.)—they were young pigs, not sucking-pigs, but of larger size, as Sirmond and others explain "*porcellis majores, nondum tamen juxti incrementi.*" They are mentioned by Hincmar, in his *Capitula* to his archdeacons, and by many others. "*Vadianus (et alii) scrofam adultam exponunt,*" glosses Spelman; "*nam et nostri (inquit Vadianus) venatores porcum silvestrem anniculum aut adultum frischling vocant.*" *Glossar.* p. 250, in voce *Frisinga*.

(<sup>2</sup>) "*Corr. corbis or corbus—mensuræ frumentariæ species apud Bononienses Italos &c.*" See Ducange *Glossar.* Tom. II. col. 580-81, in *vocibus corbis—corbus*.

(<sup>3</sup>) In his annotations on the *Compotus* of Bolton (a folio of a thousand pages, beginning in MCCXC, and ending in MCCCXXV.) Dr. Whitaker has noticed (*History of Craven*, p. 399—2d Edit.) the enormous expence of *parochial visitation* as then conducted. The sum charged, as expended on the archbishop's reception at Bolton, would have been sufficient, the historian says, for two hundred men and horses. Nor will that be thought extravagant, when it is understood that in A.D. MCCXVI, an archdeacon of Richmond, on his *visitation*, came to the priory of Bridlington, with a train of ninety-seven horses, twenty-one dogs, and three hawks. Dugdale's *Monast.* Vol. II. p. 65. See *History of Whalley*, p. 171; and Hoffman's *Lexicon*, in voce *Procuratio*. Another article, relating to the archiepiscopal *visitation* at Bolton, is extremely curious—"In prebendâ et fursure equorum et canum D'ni A'ep'i xv. gr. aven." Dr. Whitaker thinks this prelate hunted with a pack of hounds, in his progress from parish to parish! See an extract from an indulgence of Pope Alexander to the clergy of Berkshire, before quoted under *visitatorial duties* from Collier's *Appendix*. The writer possesses a curious little compend of *visitatorial duties*, entitled *Tractatus de Visitationibus*  
Epi-

acknowledged, for man and horse—considering that the ecclesiastical legislators, then in synod assembled, had the relief of the archipresbyteral hosts in view, when passing this canon of limitation.

*Episcopaltibus, per R. P. Anthonium (Dopping), Episcopum Midensem, A.D. MDCXCVI.—Dublinii MDCXCVI. — which throws some light on visitational duties, as exercised by deans rural and other ecclesiastical officers.*

## SECTION III.

SYNODICAL DUTIES.—*Testes Synodales.*

IN consequence of the report, which deans rural had to make at episcopal synods, of the state of religion, and the conduct of the clergy and laity of their deantries, they were *necessary attendants* at these general visitations of each diocese<sup>1</sup>, appointed at stated intervals for the whole some purpose “of inspecting in order to reformation.” And thence, in the opinion of *Somner, Kennett, Atterbury*, and others, they were designated *Testes Synodales*—from the information communicated by them to the synod, as witnesses:—but not, *Gibson* suggests, to the exclusion of the *synodal witnesses* properly so called; of whom Archbishop Edmund’s twenty-first constitution (*A.D.* MCCXXXVI.) thus speaks:—“*Sint in quolibet decanatu duo vel tres viri, DEUM habentes præ oculis, qui excessus publicos prælatorum, et aliorum clericorum, ad mandatum archiepiscopi vel ejus officialis, ipsis denuncient:*”—and who had been, nine years before, instituted by the council of Narbonne in these words:—“*Discretè mandamus, ut ab episcopis testes synodales in singulis instituantur parochiis, qui de hæresi et de aliis criminibus manifestis diligentè inquirant, postmodùm episcopis quod invenerint relaturi.*”

*Antiquities of Canterbury.*

p. 176.

*Parochial Antiquities*, Vol. II. p. 364.

*Charge at Totness, A.D.* MDCCVIII.

*C. I. E. A.*

Vol. II. p. 972.

*Tit. XLII. c. IX.*

*CC. M. B. et II.*

Vol. I. p. 637.

*SS. CC. Tom.*

XIII. col. 1108.

can. XIV.

*The Country Parson*, c. XIX. p. 62.

(<sup>1</sup>) Herbert says of the country parson, that “he observes visitations, and, being there, makes due use of them, as of clergy councils, for the benefit of the diocese.”

*History of Churches in England*, chap. xvi. p. 286. Stillingfleet's *Eccles. Cafes*, Vol. i. p. 2.

*Analysis CC. Gen. et Part.* Tom. iv. p. 208.

See Hincmari *Oper.* Tom. i. p. 716.

*Decret.* P. II. Caus. xxxv. c. vii. *A.D.* dccccvii.

*SS. CC. Tom.* xvii. col. 54.

These were the true *juratores synodi* or *testes synodales* (from whence, says Staveley, “our *Quefi-men*, who are to be aiding and assisting to the churchwardens, are called *Side-men*, i.e. *quasi* Synod-men”)—not successors of the rural deans in the office of *detecting*, after the latter had begun to decline in authority, as affirmed by Kennett; but, on the contrary, employed long before (“*testibus synodalibus archipresbyteri aut decani rurales suffecti sunt*,” says Richard) in the duty of laying informations before the bishop in private at the episcopal fee, or publicly at synod. On which latter occasion, it was customary—at an elder date than the Narbonne and Canterbury canons—as early, indeed, as the days of Hincmar—for the bishop assembled with his clergy and laity in council, “*post congruam allocutionem*,” to appoint certain “*matu-riores, honestiores, atque veraciores viros*,” to give information upon oath<sup>1</sup> concerning the manners of the

(<sup>1</sup>) Can. xvi. “*Jurabunt testes synodales, vel saltèm fidem loco juramenti piabunt in hac formâ. Primò, quòd per totum annum usque ad synodum proximam diligentèr inquirent, simpliciter tamen de plano et absque ullâ jurisdictione, quæ correctionis et reformationis tam in clero quàm in populo sint necessaria: et quòd illa fidelitèr referent in concilio provinciali et synodo episcopali proximè celebrandis, postquàm fuerint requisiti: usurarios, adulteros, concubinarios notorios, seu manifestos, et quoscunque manifestè et publicè delinquentes, tam in clero quàm in populo, quos debitâ ad hæc adhibitâ diligentia, perquisiverint, deferre et denuntiare, quando super hoc requisiti fuerint, denuntiare non omittent.*” See *Concil. Salisburgense*, ann. mccccxx, cap. ii; also the title *de Testibus Synodalibus* in the fourth council of Milan (*A.D.* mdlxxvi.), cap. vi. *SS. CC. Tom.* xxi. col. 296;—and the same title in the council of Avignon (*A.D.* mdxciv.), cap. iv. *SS. CC. Tom.* xxi. col. 1331; and of Rome (*A.D.* mdccxxv.), *SS. CC. Tom.* xxi. col. 1898.

Such presentments of the state of the churches, clergy, and people, within the diocese of Sarum, by synodal witnesses, Mr. Boucher informs me,



people within the district of supervision<sup>2</sup>.

About the title of these primitive *secular witnesses*, then, there can be no doubt. They are expressly denominated, by the council of Salzburg and others, *testes publici sive synodales*. In Rheginon's *Articles of Enquiry*, they bear the title of *decani*: "*Si in unaquaque parochiâ decani sint per villas constituti viri veraces et DEUM timentes, qui cæteros admoneant, ut ad ecclesiam pergant ad matutinas, missam et vespervas: et nihil operis in diebus festis faciant. Et si horum quispiam transgressus fuerit, presbytero annuntient; similiter et de luxuriâ, et omni opere pravo:*" and the same in an early council of Rouen (*A.D.* DCL.), can. xv., the words of which have been already adduced, in a note at the beginning of the *Notæ*.

SS. CC. Tom.  
XVII. col. 54.

Reginon. Lib. II.  
cap. LXIX.

SS. CC. Tom.  
VII. col. 406.

To the circumstance of the names being identical for the *lay* and *spiritual* police, and the duties, as appears from the cited article of inquiry, so much alike, may be attributed the erroneous application of the title of *testes synodales* to our spiritual *deans*; (who were not merely "*puri putique delatores*," like the lay-informers, but were clerical supervisors with considerable jurisdiction)—a

*Analysis CC.  
Gen. et Part.  
Richard. Tom.  
IV. p. 208.*

me, occur in regular series in the episcopal registry during the fifteenth century, and particularly in the year MCCCCV. In some few instances the presentments also contain accounts of the lands and titles belonging to benefices.

(<sup>2</sup>) At a later date, they had to give an account of the conduct of the rural *deans* themselves—"Ibi (in synodo diocesanâ) eligantur testes synodales, sive per decanatus, sive aliundè ad arbitrium episcopi, qui omni exceptione majores explorent in totâ diocesi per parochias singulorum, atque etiam archidiaconorum et decanorum actiones, de quibus in proximâ synodo episcopo renuntient." And, probably, the like reference to *deans* rural may be intended in Archbishop Edmund's constitution, before quoted.

CC. Rotomag.  
Provinc. P. I.  
p. 215.

mistake first made by Lyndwood under the guidance of an Italian canonist, Joannes Andreas<sup>1</sup>.

Though we look in vain for any canon or constitution of the church bestowing on *deans rural in general* the title in question, still, *in point of function*, they were *synodal witnesses* at the episcopal synod—as well as the lay-officers above mentioned—informing and attesting such disorders of the clergy and people, as, during their previous visitations, they had observed to be meet for episcopal interference:—“*Dum visitent decani officium testium synodaliū exercentes, inquirant summarie de notoriis criminibus et scandalis ejusdem loci, tam clericorum quàm laicorum : et quod per se corrigere non poterunt, episcopo referant infra mensem, ut secundum eorum relationem ad plenam inquisitionem descendat episcopus et corrigat, ut viderit expedire.*” And, on one occasion, it seems, they were appointed with laymen to the office *in fact*, and *shared with them* the title of *testes synodales* for the time being. Such a nomination of *deans rural*<sup>2</sup>, archpriests, and *deans of Christianity*, occurs in the fortieth canon of the council of Paris (*A.D. MCCCCXXIX*).

In the diocesan synod of Antwerp (*A.D. MDLXXVI*), the rural *deans* are invested with the capacity of *appointing testes synodales* by Francis Sonnius.—Seeing that vice

*Statuta Synod. Eccles. Ceno-  
manensis. In  
Thesaur. Script.  
Veter. Tom. VII.  
col. 1401.*

*SS. CC. Tom.  
XVII. col. 142.*

Van Espen *Jur.  
Eccles. Univ.*  
Part I. Tit. XVIII.  
c. III. p. 108.

(<sup>1</sup>) See Card. Hostiensis fol. cxix. *super primo Decretalium, de Officio Archiepiscopi*—“*ut singulæ plebes &c.*” Johnson’s *Eccles. Laws*, Ad-denda &c. *A.D. MLXIV.*; Boëhmer *Jus Ecclesiast. Protestant. Lib. III. Tit. XXXIX. § LXIII. seqq.* “*an testes synodales conferendi cum periodicis?*” § LXV.: and particularly Bishop Dopping’s of Meath *Tractatus de Visitationibus Episcopalibus*, cap. XXI. pp. 48, seqq.

(<sup>2</sup>) Bishop Freak, in his paper on rural *deans* or *superintendents*, says they are termed in the law *Testes Synodales*; but this is a mistake.

Strype’s *Annals*,  
Vol. II. Part II.  
p. 697.

had vastly increased, from the want of sufficient detection and exposure, the bishop commands his *deans*—“*Ut in singulis parochiis constituentur duos viros honestos et zelosos testes synodales, qui concubenarios, adulteros, clericorum in-vasores ac percussores, usurarios, contractusque illicitos exer-centes, et quæcunque crimina ad nostram correctionem spec-tantia quotannis coram ipsis decanis aut aliis ad hoc nobis deputandis exponant, ut habitâ inquisitione possit contra eos procedi ad emendationem.*”

*Stat. Synodal.  
Diœc. Antwerp.  
de Testibus Sy-  
nodalibus testi-  
tuendis, p. 254.*

The duties of *deans* rural, abridged as they are in modern days, approximate very nearly to those of the *rural testes* of old; though, in the by-gone days of the former's plenary jurisdiction, they far surpassed the *jura-tores synodi* in the extent of their commission.

But to return to diocesan synods—whence has inci-dentally arisen this too long digression on *testes synodales*, their origin, duties, and likeness to *deans* rural.

The canons of the church vary in their injunctions as to the frequency of holding episcopal synods (still existing, Bishop Stillingfleet tells us, under the type of diocesan visitations<sup>1</sup>), at which *deans* rural, heretofore, made their attestations and presentments. Once a year, at least, such a convention of the clergy under their diocesan (the most ancient form of synod, though not the most

*Ecclesiastical  
Cases, p. 2.*

*Thomassin. F. et  
N.E.D. Tom. II.  
P. II. L. III.  
c. LXXV.  
Decret. P. I.  
Dist. XVIII.  
c. XVI.*

(<sup>1</sup>) At the time of the Reformation under Henry VIII. the submission of the clergy made all diocesan meetings to be executive visitations, no longer legislative synods: yet, when the clergy's submission was repealed under Queen Mary, the diocesan power of legislation returned; and in that reign, Bonner and other bishops held synods and framed constitutions for their respective dioceses. But now that submission has returned upon us.

*Kennett's Ec-  
clesiastical Sy-  
nods, Part I.  
p. 201.*

*Parochial Antiquities*, Vol. II.  
p. 363.

*SS. CC. Tom.*  
XIX. col. 1292.  
can. XVIII.

Wilkins's *Differentio Epistolaris*,  
&c. p. VII.  
*CC. M. B. et II.*  
Vol. I.

*State of the Church & Clergy of England*,  
pp. 23, seqq.

*Stat. Synod. Dioc. Audomar.*  
Tit. XXII. c. II.  
p. 111.

*Stat. Synod. Dioc. Ypren-*  
*sis*, I. cap. III.  
p. 9.

dignified) was assembled.—“*Annis singulis episcopus in suâ diœcesi synodum faciat de suis clericis, necnò abbatibus, et discutiat alteros clericos et monachos.*”

At this council of the district, the rural deans of England were *rightful* coadjutors for deliberating on the affairs of the church: and, when duly constituted, the synod consisted of the bishop as president, the cathedral deans in the name of their collegiate body of presbyters, the archdeacons as deputies or proctors of their inferior order of deacons, and the rural deans<sup>1</sup> in the name of the parochial clergy, as the proper delegates and standing representatives of that body, to consult with the bishop upon all matters connected with the church and its local discipline—“*Ut quæ ex ipsorum judicio reformatione opus habere comperientur, communi consilio emendentur.*”

(<sup>1</sup>) This procuratorial character of deans rural, at diocesan synods in England, did not go to the extent of superseding the attendance of the parochial clergy; who, in addition to the deans and archdeacons, if they had benefices within the diocese, were obliged to *personal* attendance. If, however, at any time, the incumbent clergy were prevented attending on the bishop by sickness or other cause; on such occasions, we may understand, the archdeacons and rural deans were empowered to act for them;—a custom which obtained more particularly in the German synods.

In the diocese of Saint Omer, it was particularly decreed (*A.D.* MDLXXXIII.—MDCXL.) that *all* pastors should be *personally* attendant. They were not to be excused on the plea of parochial duties, funerals, or marriages; nor were the deans to admit any excuses as justifying absence, till, on conviction of their necessity or probability, they had presented them to the bishop for examination. “*Interim et pro se et pro sui districtus pastoribus respondeant, adsint necne, absentes nominem et scripto tradant.*” And the like was decreed by the diocesan synod of Ypres (*A.D.* MDLXXVII.); lady abbesses alone being excused, customarily from personal attendance, and allowed to depute their confessors and chaplains instead.



And so on the continent, in Belgium and the adjoining states, Van Espen reports, "*Generalitèr vocari capitulum episcopale, reverendos dominos abbates, abbatissas, præpositos, archipresbyteros rurales, priores, priorissas, cæterosque omnes, qui de jure vel consuetudine synodo diœcesanæ interessè debent.*" See also *Statuta Synod. Diœcesan. Yprenf. cap. ii. (A. D. MDLXXVII.)*

The number of these synods in each year varied, as above stated, at different periods and places—*once—twice—thrice*—no general rule prevailed. *Once*, however, may be said to have been the *most frequent* usage—"Ad minus semel in anno, ubi non est consuetudo bis annuatim celebrari." But, in the ancient formulary for holding them in England, the order is that they be convened *twice* a year, and such Wake asserts to have been the measure of them here; though the common direction of the canon law, with which Lyndwood agrees, was *once* only.

An epistle of the archbishop of Rouen (circa A.D. MCCLXXX.) de *Regularium Privilegiis* orders every metropolitan to hold a provincial council, *annually*, "*non solum de episcopis, verum etiam de capitulis cathedralium et aliarum ecclesiarum, abbatibus exemptis et non exemptis, necnon de decanis ruralibus et aliis ecclesiasticis viris DEUM timentibus et peritiam habentibus litterarum; ut communi omnium consilio, cum dictum negotium omnes tangat, via communis et utilis eligatur ad obviandum periculis, et onus prosequendi negotium ab omnibus supportetur &c.*"

In Germany, the constitution of Cardinal Campegio (A.D. MDXXIV), before referred to, bids the celebration of an episcopal synod by each diocesan bishop, "*singulo anno saltem cum potioribus prælatis decanis ruralibus, virisque dignis:*"—but the *Formula Reformationis* (A.D.

*Jur. Eccles. Univ. P. i. Tit. XVIII. c. i. p. 105.*

*Synod. Basil. Sess. xv. SS. CC. Tom. XVII. col. 288.*

*State of the Church & Clergy of England, pp. 23, seqq.*

*CC. Rotomagens. Provinc. P. i. p. 155. & P. ii. p. 53. can. ii.*

*Brown's Fasciculus, Rerum, p. 423.*



*Form. Reform.  
per Cæsar. Ma-  
jeſt. pp. 6. & 30.  
Lovanii.*

*SS. CC. Tom.  
XIX. col. 1380.*

*Field of the  
Church, B. v.  
p. 508.*

*Thomassin. V. et  
N. E. D. Tom. II.  
P. II. L. III. c. 75.*

*Decreta Anti-  
qua Synodi Ca-  
meracenſ. p. 72.*

*Acta Concil.  
Cameracenſ. ad  
finem.*

*CC. Rotom.  
Prov. P. II.  
p. 489. Synod.  
Lexoviensis.*

MDXLVIII.) under the head *de Ordinum Ecclesiasticorum Officiis*, recurs to the olden custom of *twice*,—enjoining all ecclesiastical officers, whether archdeacons, *thorépiſcopi*, archpresbyters, or deans rural, “*ſynodis episcopalibus intereſſe, referre, et exponere illic ſuæ portuunculæ ſtatum et unè cum partibus conſulere ac decernere &c.*” So alſo the council of Cologne under Adolphus (A.D. MDXLIX.): “*Bis quotunnis pro veteri more.*” And the latter alſo preſcribes that the deans and their co-attendants ſhould have their expences paid by the perſons whom they repreſented, and grants a power of compulſion on non-payment:—“*Decani collegiorum accedentes ad ſynodum pro ſuis collegiis in religionis officio et dignitate ſuâ conſervandis: et decani rurales pro ſuæ regiunculæ parochiis DEO utique militant. Nemo verò militat unquàm ſuis diſpendiis: Propterea ſtatuiſmus, ut pro numero dierum, quibus concilium durat, conſerant decanis ſuis collegia, et parochi ſubſidia in ſumptus, quos neceſſariò facere debent, abſque omni tergiverſatione.*”

The ſynod of Cambray<sup>1</sup> (A.D. MDL.) legiſlates for the decanal retinue on the occaſion:—“*Quilibet decanus pro ſe, et duobus ſacerdotibus ſui decanatus, quinque equis, et quâlibet die, pro quolibet equo, ſecundùm diſtantiâ locorum, octo groſſis turonenſibus regalibus ſit contentus, veniendo ad ſynodum, et remanens ibidèm, quouſquè computus decanorum*

(<sup>1</sup>) Attached to the report of the provincial council of Cambray (A.D. MDLV.), are the names and titles of eighteen rural deans—“*archipreſbyteri ſeu decani Chriſtianitatis diœceſis Cameracenſis, tam ſuis quàm curatorum ſuorum decanatum reſpectivè nominibus:*” and others, again, appear in the muſter-roll of names, “*tàm de jure quàm de conſuetudine,*” preſent at ſynod in the diocèſe of Liſieux.

*sint finiti, et per unam diem ultrà : nisi de mandato Domini &c. diutius remanere debeant."*

In the diocese of Ypres in Flanders, it had been customary to hold two annual conventions of the dignified and inferior clergy in the cathedral church; but, in consequence of divers inconveniences experienced by the parochial clergy in attending a second time, it was decreed, under the sanction of the synod of MDLXXVII, that the *Decans* alone should be obliged to a second attendance, at the joint expence of all the clergy, in the bishop's palace:—"De rebus religionis, et de statu ecclesiarum, suis et pastorum suorum nominibus cum episcopo communicaturi : necnon declaraturi, si quæ difficultates post novissimam synodum subortæ fuerunt, quæ commodè usque ad alteram synodum differri non possunt : atque etiam audituri, quæ ipsis ex officio proponi contingeret," &c.

*Stat. Synod.  
Dioc. Ypres.  
Tit. I. cap. v.*

A privilege of consolidating the two meetings, again, into one, on the united authorities of the Tridentine, Lateran, and Basil decrees, was ceded to the discretion of the bishop by the council of Rouen (A.D. MDLXXXI.), in expectation of a proportionate increase of care and attention to the duties of the single session; which were provided for by express canon:—"In ipsis archidiaconi et decani rurales de curatis tam presentibus, quam absentibus, episcopo debent reddere rationem, et omnia in visitatione et calendis audita et comperta referri, examinari, ac judicari, et statuenda publicari." And the same precept appears in the canons of the council of Rheims (A.D. MDLXXXIII.)—and of Saint Omer of the same year:—the latter of which synods enacts, "*Decani, quibuscum ante et post synodum de toto diocesis statu et bono, agendum nobis est, maturius adsint, et uno atque altero die synodi diem præve-*

*See also SS. Rotom.  
Prov. P. II.  
p. 131, A D.  
MDLXI.*

*SS CC. Tom.  
XXI. col. 636.  
CC. Rotomag.  
Prov. P. I.  
p. 215. can. XXXI.*

col. 713.

*Decret. Synod.  
Audomar. Tit.  
XXII. cap. IV.  
p. 112.*

*niant, et quid iis faciendum sit, à nobis post synodum mandata accipiant."*

But of the frequency of holding episcopal conventions we have said enough;—a few extracts explanatory of the *decanal* duties in connexion with them, and we have done—referring the reader, who may be desirous of more detailed information, to Van Espen *de Synod. Diocæs.* &c. Part I. Tit. XVIII. cap. I. p. 105. and the *Directorium Synodale* of the diocese of Cologne published by Archbishop Maximilian, A.D. MDCLXII.

In council assembled, the *deans* delivered to the presiding bishop their *acta vísitationis*, attesting the same by oath; and otherwise informed him, orally or by letter, of the temporal and spiritual circumstances of their respective *decanates*—particularly delivering to him formal *presentments, in scriptis*, of all that was amiss in the rural districts under their charge; and availing themselves of the opportunity of paying the several taxes due on account of the parochial clergy to the diocesan; of which imposts, as we shall hereafter shew, they were the official collectors. Such was the usual routine, "in obedience to the oft-repeated injunction that bade them to be diligent in their delegate, responsible overseership, and to report every thing to the bishop." But when the matter of their presentments was urgent, and required immediate episcopal interference, they waited not for the slow formality of the periodical synod, but went *at once* with their complaint to the bishop in private, and received his instructions thereon<sup>1</sup>.

(<sup>1</sup>) This uniformity of reference on the part of *deans* rural to the bishop, at his see, or at visitation, or synod, is invariably observed by continental

Even *monthly*<sup>2</sup> reference to the bishop (under the title of “the ordinarie”) is ordered in the *Gloucester Injunctions* of Cardinal Pole (*A.D.* MDLVI.)—*Touchinge the clergie*,” *can.* XIV. All presentments are commanded to be thus often laid before him, or his chancellor, by the *Dean rural*, the churchwarden supplying them to the latter:—“That every *deane* do sende all the presentments, that shall come to his hands, to the ordinarie, or his chauncelor, monthelie uppon pain of contempt:”—which presentments are, by the same *Injunctions*, “*Touchinge the laitie*,” *can.* XVII., ordered to be delivered by the churchwardens into “the handes of the *Dean* of the *deanric*, as they will avoyde the daunger of perjurie, and forfeiting of their recognizances.”

But to go back to episcopal synods of earlier times, of the economy of which, as well as the concern of *Deans rural* therein, the see of Augsburg offers an ancient and very interesting example.

In that diocese, St. Udalric, a canonized saint of the tenth century, was wont to select, in conjunction with his archpresbyters, such places for his synods as were least liable to civil interruption; and there, in secluded conference, to make strict inquiry of the attendant archpriests and deans, into the state and condition of their

continental councils of the sixteenth and seventeenth centuries:—witness those of Augsburg (*A.D.* MDXXXVI. and MDXLVIII.); of Cambray (*A.D.* MDL. and MDLXV.); of Malines (*A.D.* MDLXX.); of Melun (*A.D.* MDLXXIX.); of Rheims (*A.D.* MDLXXXIII.); of Acqui (*A.D.* MDLXXXV.); of Rouen (*A.D.* MDCXXVIII.); and innumerable others.

(<sup>2</sup>) The *Dean rural* is ordered by the *Reformatio LL. Eccles.* to lay his presentment before the bishop or ordinary “*infra decem dies in scriptis*.”

*CC. M. B. et II.*  
Vol. IV. p. 146.

Thomassin. *V. et*  
*N.E. D.* Tom. II.  
P. II. L. III.  
c. LXXIV. p. 790.

*Ejusdem, de Beneficiis*, Tom. I.  
p. 229.  
*CC. Rotomag.*  
*Prov.* P. II.  
p. 125.

Cap. v. p. 95.



Boëhmeri *Jus  
Ecclesiast. Pro-  
test.* Lib. III.  
Tit. XXXIX.  
§ XXXVIII. Tom.  
III. pp. 585-6.  
ex Mabillon. in  
*Act. Benedict.*  
p. 432. n. 30.

subject churches, the morals, and religious observances of the inhabitants, &c.—“*Congregatis ante se clericis, archipresbyteros et decanos, et optimos quos inter eos invenire potuit, cautè interrogavit, quatenùs quotidianum DEI servitium ab eis impleretur, et qualiter illis populus subactus ex eis regeretur in studio prædicandi docendique, quantâque cautelâ infantes baptizarentur, infirmi visitarentur et ungerentur, defunctorum etiam corpora quantâ compassione sepulchris traderentur, viduis et orphanis in universis necessitatibus subvenirent, quantoque studio in hospitibus et advenis Christo ministrarent, si subintroductas mulieres secum habuissent, et inde crimen suspicionis inderent; si cum canibus et accipitribus venationes sequerentur, tabernas causâ edendi vel bibendi ingrederentur, si turpes jocos in usu haberent, si ebrietates et commensationes supra modum amarent, si rixis et contentionibus et æmulationibus deservirent; si nuptiis secularibus interessent; si aliqui eorum ministeria indecentia in consuetudine haberent: si per kalendas more antecessorum suorum ad loca statuta convenirent, ibique solitas orationes explerent, suasque ecclesias ad tempus reviserent: si obedientiam eorum magistris præbuisent, et in toto suo ministerio devoti et apti manere studuissent. Responsione autem de interrogatis factâ et ratione veritatis perceptâ stantibus in rectitudine dulcissimæ consolationis gratiâ gratificavit et ut deinceps à normulâ justitiæ ne devierent, suavi colloquio admonuit, erroneos autem per devia incedentes fratres dignis terruit correptionibus, et, ut postea consueta vitia omitterent, præcepit.” Such were the interrogatories put to the assembled clergy by the fainted prelate of Augsburg.*

The next century affords a very copious description of the *formula* of holding a diocesan synod, in the year MXXII, at Salingsstat in Germany. It has been copied



by Van Espen, and translated by Dr. Field. But the interrogatories of St. Udalric will sufficiently explain the concern of Deans rural therein;—and to his long catalogue of inquiries may be added another of presentments of a later date; which the bishop of Padua has left us, (bearing date *A.D.* MCCLXXXIV, in *synodo apud S. Hippolytum*—charging the clergy, generally, to make known to their Deans *in scriptis*, within a month, all persons obnoxious to the defects and crimes enumerated therein as meet for accusation; and the Deans, on their part, to lay the same before the bishop at synod, on pain of grave punishment.—The catalogue, below given, contains many curious items of impeachment<sup>1</sup>.

*I.E. U. Part I.  
Tit. XVIII. c. II.  
History of the  
Church, B. V.  
p. 508.*

*SS. CC. Tom.  
XIV. col. 889.*

(<sup>1</sup>) “*Accusandi sunt circa infra scripta.*”

“*Hi sunt defectus et culpæ, crimina et articuli, de quibus sunt clerici quilibet accusandi; contra quos poterunt probari: absentes à capitulo tam plebani, quam vicarii; item absentes à suis beneficiis; item vocati ad ordines et non venientes; item ordinati ab aliis episcopis; item cohabitantes manifestè; item concubinas in aliis domibus habentes publicè; item tabernarii, lufores, et alios dissolutæ vitæ. Item clerici tabernas in suis domibus habentes. Item plebani, qui vicarios suos sustinent cohabitare. Item clerici usurarii, anticipatores, et antiquam monetam pro novâ mutuantes. Item alchimistæ, et qui utuntur falsâ monetâ et argento. Item qui peregrinos, et ignotos recipiunt in socios. Item qui sacramenta ecclesiæ vendunt, et super remediis decedentium, conventionem faciunt, antequam sepeliatur defunctus. Item qui propter augendum censum consuetum amoveant idoneos ab ecclesiis et instituant minus dignos. Item qui decimas et proventus, sive redditus ecclesiarum suarum laïcis conferunt, quibus imposterum ecclesiæ defraudantur. Item capellani castrorum, villarum seu civitatum, qui non veniunt ad capitula et conventus. Item apostatæ et de apostasiâ suspecti. Item qui interdicti, suspensi vel excommunicati celebraverunt, vel se ingesserunt divinis. Item qui voluntariè laïcos sibi constituunt advocatos. Item qui in foro seculari præsumunt advocatiæ officium exercere. Item habentes*

*SS. CC. Tom.  
XIV. col. 889.*

So copious are the *articles of inquiry*, just introduced into our text, from the canonized Udalric of Augsburg, and so full the foot-note of *delatable crimes* and *defects* of the bishop of Padua at St. Hippolyte, that it is scarce necessary to offer any farther illustration of the nature and character of the *synodal presentments* of *deans rural*, from later councils. We will fill up the gap of intervening centuries with a *few* only of the many *presentable facts, offences, &c.* of other churches, culled from their documentary and conciliar collections; and will add, from the synods of Milan, Cologne, and Reuffen, in particular, the last authentic memorials we possess of the connexion of *deans rural* with episcopal conventions;—concluding our extracts with a few notes on the costume and behaviour of these officers, when in attendance at them.

*Decreta Antiqua  
Synodi Camera-  
censis, MDL. p. 73.*

Thus writes the synod of Cambray (A.D. MDLVI.)—  
“*Decani omnium usurariorum manifestorum et excommu-*

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*habentes pluralitatem beneficiorum. Item qui corpus Christi et chrisma sub fidei custodiâ non reservant. Item sine ministro celebrantes. Item religiosi sine licentiâ episcopi plebes regentes. Item plebani qui suas aliis locant ecclesias, et vicarii assumunt regendas. Item dilapidatores suarum ecclesiarum. Item qui symoniacè ordines vel beneficium susceperunt. Item illegitimi habentes beneficia cum curâ animarum. Item qui sine investiturâ episcopi et institutione canonicâ ecclesias recipiunt, atque regunt. Item qui per subdiaconum vel decanum plebes suas in viatico et confessione procurari permittunt. Item qui excommunicatos, vel interdictos recipiunt ad ecclesiasticam sepulturam. Item qui sine licentiâ nostrâ in oratoriis vel ecclesiis non consecratis, vel violatis missas celebrant. Item qui in cæmeteriis non consecratis vel violatis permittunt mortuos sepelire. Item qui subplantatores sunt et anticipatores. Item transgressores omnium prædictorum statutorum.”*

*nicatorum per annum et diem, totius sui decanatus nomina et causas excommunicatorum in schedulâ deferant anno quolibet ad synodum vel computum &c.*—"Item referant nomina presbyterorum omnium qui in suis decanatibus illo anno obierunt, ut in synodo absolvantur &c."

"The Dean rural or superintendant," says the bishop of Norwich (*A.D.* MDLXXX.), "shall make faithful, careful, and diligent inquiry, not only of every minister in the deanry, but also of every man of account; which may either be profitable or dangerous to the state, in their several parishes. And exhibit their names, according to every several deanry, in a fair long parchment scroll, to the bishop, or his chancellor; to remain with them, or either of them: giving advertisement from time to time, of their amendment, or waxing worse and worse. Whereby the bishop shall be able to cut off any mischief, as it first springeth forth; and be a most notable instrument of advertising and preserving the estate. Besides, by the authority resident, and as it were overwatching the behaviour of the neighbours round about, all smaller, usual offences, as swearing, drunkenness, lewd, lascivious talk, and such other enormities, which are as it were entrances into the more grievous and enormous sins, may be restrained and punished. Which now are jesting matters, of small account." (*See more in loco*—where Freak proposes that the deans should sit judicially on delinquents, as assistants to the bishop or chancellor in synod assembled.)

The council of Bourdeaux (*A.D.* MDLXXXIII.) imposes on deans rural the *synodical* duty of making known to the diocesan all *vacant* benefices, the names of *non-resident* clergymen, and those who, being possessed of

Bishop Freak's  
Form of Government, by  
Rural Deans.  
Strype's *Annals*,  
B. II. No. XXXII.  
*Appendix*, p. 695.

SS. CC. Tom.  
XXI. col. 790.

SS. CC. Tom.  
XXI. col. 1507.

Synod. Lexov.  
CC. Rotomag.  
Prov. P. II.  
p. 505.

Const. Part III.  
cap. x.  
SS. CC. Tom.  
XXI. col. 462.  
A.D. MDLXXIX.

Directorium Syn-  
nodale M. Henr.  
Arch. Colon. 4.

pro decanis ru-  
ralibus.

benefices, are not ordained priests, within their respective jurisdictions: and the like canons passed the council of Narbonne, *cap.* XXVIII. (A.D. MDCIX.)

The synod of Lisieux enacts (*de decanis*) "*Ut per cedulas suas in singulis synodis fidelitèr—nobis referant, aut vicariis nostris, qui sint curati non residentes, ubi morentur, et de causis sue non residentiæ, ac de eorundem curatorum vicariis, si et quandò fuerint à nobis approbati &c.*"

The fifth council of Milan, under Cardinal Charles Borromeo, records the ordinary duties of rural deans (there termed "*vicarii foranei*"), and those which more particularly fell to their lot at the episcopal see, on occasion of a *congress* of the bishop and his clergy—"*Cum synodalis dies propè adest, vicarii foranei pridè illius diei adsint summo mane in ædibus episcopalibus; eoque ipso die quamprimum episcopo nomina, et cognomina tradant, eaque ordine descripta, sacerdotum, et clericorum singulorum, qui ad synodum conveniunt, ac rursùs absentium causis sigillatim item descriptis, quamobrem synodo non adsint. Idque præter officium legitimæ excusationis, quam, qui absunt, episcopo afferre et probare debent.*"

In the following century to Borromeo, Maximilian Henry, archbishop of Cologne (A.D. MDCLXII.), commanded his deans rural to perform the like duties four days antecedent to the assembling of the diocesan synod; at which each rural dean is ordered to deliver in a formal document to this effect:—"Ego N.N. pastor in N. decanus Christianitatis N. sub archidiaconatu N. constitutæ, habeo sub meo decanatu parochias numero N.N. inter quas aliquæ sunt filiales, videlicet N. dependens à matrice N. item N. dependens à matrice N. capellas N. parochia N. sicut ex antiquis documentis constat, solvere consuevit



*ad taxationem . . . . ad decimationem . . . . et ad cathedraticum . . . . .*"

Lastly, the council of Reussen (A.D. MDCCXX.) summons annually a dioceſan ſynod upon the uſual footing,—“*in quâ, collatis epiſcoporum cum ſuo clero conſiliis,*” ſays the ſynod, “*ſtatuuntur ea, quæ pro communiori totius diœceſis bono ſtatuenda videbuntur, et caveatur, ne, quæ benè ſtatuta ſunt, temerentur;*”—and then it proceeds to the duties, more eſpecially, of protopreſbyters or rural deans in connexion with this convention:—“*Ad ſynodorum diœceſanarum fructum uberius aſſequendum protopreſbyteri, ſive decani, quibus id potiſſimè incumbit, ac etiam parochi in ſua, vel vicinâ parochiâ diſpiciant, an ii, qui curam animarum gerunt, reſideant, et ſollicitè fidelium ſaluti invigilent: an in ſacramentis ſanctè miniſtrandis, in rudium, ac puerorum ad doctrinam Chriſtianam inſtitutione, cæteriſque officiis curæ parochialis diligentè ſe præſtent; an eccleſiæ ſanctæ tectæ ſint, obſerventur, ac ornamentis, et ſacrâ ſuppellectili congruè inſtructæ; an ea, quæ in ſynodo provinciali decreta ſunt, obſerventur, tam quoad internum, quàm quoad externum eccleſiarum ſtatum. Inquirant, an populus colat dies feſtos, et frequens conveniat ad divina officia; an jejunia obſervet ſtatutis temporibus; an aliqui ſint ſacrilegi, blaſphemi, excommunicati, ſchiſmatici, ac de magiâ, et ſuperſtitione ſuſpecti, eaque omnia ad ordinariū ſcripto deferant ante ſynodum diœceſanam, ut iis opportunè malis medeatur.” See Van Eſpen *Jur. Eccleſiaſt. Univ.* Part 1. Tit. XVIII. pp. 106-7. —on the Milanefe and other dioceſan ſynods.*

Manli *Supplement.* ad SS. C. C.  
Tom. VI. col. 350.



*Const. Synod.  
Episcop. Attre-  
bat. A.D.  
MCCCLV.  
Thomassin. V. et  
N.E.D. Tom. II.  
P. II. L. III. cap.  
LXXV. p. 791.*

*Ant. Statuta  
Synod. Ecclef.  
Æduenf. Thes.  
Anecd. T. IV.  
c. 474.*

*SS. Rotomag.  
Prov. P. II.  
p. 436-37.*

*Provinc. L. III.  
Tit. I. p. 118.*

*gl. inv. decentèr.*

*gl. in v. habitu  
clericali.*

*Director. Syno-  
dal. Archiep.  
Colon. A.D.  
MDCLXII.*

On the above and all other occasions of clerical gathering, it behoved the archpriests or deans rural<sup>1</sup> to wear their proper canonical vestments, as the *albe*, and *stole* or *scarf*—“*Decani Christianitatis sanctam synodum intrent albis et stolis*,” says the council of Arras (*A.D.* MCCCLV.)—and the *parochi* (according to the Cologne<sup>2</sup> canons of *A.D.* MCCLXXX.) were to wear their *superpellicium* or *surplice* alone;—which garb the superior functionaries were to see duly observed by their inferiors. Indeed, it was, in general terms, enacted by the *synodal statutes* of the see of Autun, that the archpriests should be attentive to the habiliments of their subject priesthood—that they were fuitable to the occasion—“*Caveant archipresbyteri ut eorum subditi veniant ad synodum in habitu competenti*.” The *Liber Synodalis* of the bishopric of Seez (*A.D.* MDXXIV.) imposes the same garb on all, without distinction of grade—“*Ut eorum quilibet respectivè habeant et deferant unum caputium honestum cum cornetâ*,

(<sup>1</sup>) The dress of rural deans at their own *chapter-meetings* is elsewhere noticed. It was also the subject of ecclesiastical regulation on ordinary occasions—“*Omnes decani rurales decentèr incedant in habitu clericali, et cappis clausis utantur* :”—where Lyndwood tells us *decentèr* may refer “*ad formam, longitudinem, brevitatem, strictitudinem, vel amplitudinem vestium*.” As to colour, red and green were forbidden, also stripes and parti-colours. But we have not information enough in the gloss upon *habitu clericali*, to attire our functionaries ἐκ τῶν ποδῶν ἐς τὴν κεφαλὴν;—and therefore we leave them with a hope that they neither dressed too smart nor too mean—“*nec nimis fulgidis, nec nimis sordidis vestibus*.” On *cappæ clausæ* see before; also Macri *Hieroglexicon*, p. 121. in v. *cappa*; p. 583. in v. *stola*; p. 601. in v. *superpellicium*.

(<sup>2</sup>) *Rurales decani in loco synodi compareant stolis rubris latioribus*”—says the *Synodal Directory* of the archbishop of Cologne, *A.D.* MDCLXII.

*tunicam talarem ac longam,*" &c. — under a penalty of forty Turonese shillings for disobedience. The synod of Tournay (A.D. MDLXXIV.) adds: "*Ut jejuni et rasi synodum intrent, usque ad finem permanſuri, atque audituri quidquid in eo ſtabilietur et conſtituetur*<sup>1</sup>." And the synod of Liſieux prohibits "*Ne tunc per eccleſiam vagentur aut ambulent, nec in eâ conſabulentur,*" &c.

Both prieſts and archprieſts were to conduct themſelves with becoming circumſpection to and from the convention, that is, going and returning by the road: (*ſee CC. Rotomag. Provinc. P. II. p. 78; Præcepta Decanis, &c.*); and while in attendance at the epiſcopal ſee within the province of Rouen, they were to be lodged and boarded at the palace of the archbiſhop and the houſes of the prebendaries; or in the abſence of ſuch accommodation, (which had been long diſcontinued in the year MDCXXVIII.), it is enacted, "*Que chacun doyen fera élection d'une maiſon régulière, pour s'y loger avec les curez de ſon doyenne, et y prendre ſa réfection.*" But, in a later ſynod of the year MDCXCI, it is deemed enough, "*Qu'ils (les*

*Decreta Synod. Tornac. p. 59. IV.*

*SS. Rotom. Prov. P. II. p. 188. Synod. Lexovienſ.*

*SS. CC. Tom. XIX. col. 288—293.*

*H. D. R. Vol. II. Appendix. Part I. S. VIII. l. D. of Rouen.*

*CC. Rotomag. Prov. P. II. p. 124. Statut. x.*

*Ejusd. p. 153.*

(<sup>1</sup>) By a conciliar order of the ſee of Arras (A.D. MCCCCLV.), entitled "*De contumaciâ non venientium ad ſynodum vel minùs debità recedentium ab eâdem*"—Deans rural are enjoined to bring with them to the convention the *ſynodal conſtitutions* of the dioceſe; and, before leaving the aſſembly, to exhibit them to the biſhop or his repreſentative, on pain of excommunication, and forfeiture of forty ſhillings to be applied to pious uſes.

By the *precepts* addreſſed to the deans of the province of Rouen (A.D. MCCCXLV.), they are bade to correct their *ſynodal inſtructions* according to the decrees of the provincial council, and to ſee that the copies held by the preſbyters are corrected.

*Conſt. Synodal. Epiſcop. Attrebat. A.D. MCCCCLV.*

*CC. Rotomag. Provinc. P. II. p. 78.*

*curez*) avertiront le doyen rural des logemens qu'ils auront choisis dans la ville pendant le synode, afin qu'il puisse les trouver aisément, en cas que nous ayons besoin d'eux," says the archbishop, "pour régler les affaires de leurs églises."

See Gibbon on Visitation, 59, 60, 61.

*Parochial Antiquities*, Vol. II. p. 364.

The ancient<sup>1</sup> synodical honour of *deans* rural in England is shared, in modern days, between the *churchwardens* on the one side, and the representatives of the parochial clergy, termed *proctors*, on the other;—the former being the grand inquest upon every visitation, the *teslés synodales* of their respective parishes, bound on oath to present all offenders or violators of the laws of the church;—the latter (nominally) representing the district clergy in convocation, as heretofore the rural *deans* represented them in provincial and episcopal synods. "While the cathedral *deans* and archdeacons still keep their ancient right of sitting in convocation," remarks Kennett, "the rural *deans* alone have been forced to give place to an arbitrary election of two only for every diocese, instead of one by standing place for every deanery."

In France, however, on the authority of Richard's

*Directions to Churchwardens*, 9th Edit. p. 178. See Freak's Paper in the Appendix, Norwich Documents, from Strype.

(<sup>1</sup>) Till the rebellion (*A.D.* MDCXLI.), we are told by Dean Prideaux, "diocesan synods were kept up in the diocese of Norwich, and all the clergy of the diocese constantly met at them every year—that is, the clergy of Suffolk at Ipswich, and the clergy of Norfolk at Norwich. In which synods the *deans* rural, having presented whatsoever they had found defective, either in the manners and duties of the clergy, or in the reparation of the church, chancel, or minister's house, in every parish, within their respective deantries, care was thereon taken of rectifying whatsoever was amiss herein."

*Analysis of the Councils*, rural archpriests were honoured not long since (during the eighteenth century), in the archiepiscopal synod of Paris, with a dignified station on the left of the archbishop, where they were associated with the cathedral archpriests. And in the diocesan synods of Salzburg, annually held throughout the province, they also appeared in necessary connexion with bishops, or their representative commissaries, constituting local church-conventions. Nor were they overlooked, according to Van Espen, about the same time, in the episcopal synods of Belgium.

*Analysis CC.*  
Tom. III. p. 36.  
*ex Vers. Dal-*  
*masti.*

*Const. et Decret.*  
*Synod. Salis-*  
*burg, c. LXIV.*  
cap. ii. p. 338.

*Jur. Eccl. Univ.*  
P. I. T. XVIII.  
c. III. p. 108.

In some few of our English dioceses, wherein the office of dean rural has been revived, and is sustained with praiseworthy alacrity and zeal—the diocesans co-operating with their rural delegates in rendering the discharge of the decanal duties as efficient as possible to church-discipline—a faint imitation of the episcopal synod of elder times has been introduced with the best success. The prelates of the sees alluded to, annually, or oftener if occasion require it, invite the deans of the different deaneries to a friendly conference at their respective palaces; and, while there entertaining them as welcome guests at their hospitable boards, discuss with them the general condition of the ecclesiastical cantonments of their dioceses—receiving from the hands of the deans their *acta visitationis* (or *articles of visitational inquiry* duly filled up), *presentments*, &c., and advising with them thereon—“*Ut quæ ex ipsorum judicio reformatione opus habere comperientur, communi consilio emendentur.*” Such is the usage, I am happy to say, of the diocese of Sarum, commenced and zealously supported by the venerable and learned Bishop Burges; and the like, I believe,

*SS. CC. Tom.*  
XIX. col. 1292.

obtains in the diocese of Winchester—examples of primitive practice well worthy of universal imitation<sup>1</sup>.

(<sup>1</sup>) The *Reformatio LL. Eccles.* would have restored the ancient episcopal synods in each diocese:—See the section “*De ecclesiâ, et ministris ejus, illorumque officiis.*” “Cap. XIX. *De synodo cujuslibet episcopi in suâ diœcesi.*” This and the four following chapters contain many useful and practicable suggestions, in case of their revival, at any time, by the church of England. The time of the annual convention was to have been notified by the bishop to the rural clergy by the instrumentality of the rural deans—“*per decanos ruri sparsos*”—elsewhere called “*archipresbyteri rustici*,” and “*decani rurales.*” See cap. v.



## SECTION IV.

## SUPERVISION OF THE LAITY.

## CHAPTER I.

## PREFATORY ARRANGEMENT.—SUPERVISAL OF LAICAL OFFENCES.



IN the numerous, I fear, wearisome extracts, which have been adduced in corroboration of the controverted *visitatorial* duties of Deans rural, and those undisputed ones, which, both in Great Britain and on the Continent, they performed at episcopal *conventions*, many items of their *personal functions* have been incidentally, but briefly, touched upon.

The object there in view was not to anticipate, or supersede, a formal classification of individual duties in subsequent pages, but merely to illustrate the *visitatorial* and *synodical* capacities of the officer,—not to particularize and explain *every item* of *personal service*, but such only as were necessarily performed at *visitation* and *synod*. A large number have reference neither to the one nor to the other occasion; and *these* remain entirely unnoticed.

The canons and observations, therefore, now and hereafter to follow, propose to speak of *the latter*, that is, of the whole range of *personal duties* in *detail* (saving *visitatorial* and *synodical* attendance, &c.)—whether pertaining to the maintenance of church-discipline in the

persons of the *laity* or the *clergy*, or to the general support of external decency and order in the ecclesiastical concerns of the country.

The subjects alluded to will, collectively, occupy the remaining sections of the present division—Part IV.; and will be distributed in the following order:—In the *first* section we shall place the obligation imposed on our rural censors of supervising the *parochial laity*—of inquiring into, and suppressing, all *laical* profaneness and immorality—and of performing certain *purgational*, *exorcistical*, *catechistical*, *funereal*, and *testamentary* duties towards *lay-members* of the church. To the *second* head (though, in point of number and importance, paramount) we shall assign the services of *deans* rural towards the *parochial clergy*; whose manners and ministrations they were more especially bound “to inspect and censure.” *Lastly*, we shall consider, under as many separate sections and chapters as the great variety of the subject-matter may require, the residue of the *personal functions* of *deans* rural—those, namely, of a mixed ministerial character, bearing both on the clergy and their flocks—which were performed by *deans* rural, as public functionaries, under the authority of the hierarchy, for the general support of church-discipline and good order, in the rural districts of each diocese.

To begin, then, with the *parochial laity*—whom the canonists in general consign to the supervising care of *deans* rural—“*Decani rurales*,” says Van Espen, “*laicorum suorum districtum mores diligentè observent*.”—Not only, observes Molanus, in his glossarial remarks on the synodal constitution “*ut singule plebes, &c.*,” does the law exact, “*Ut archipresbyteri visitent pastores et parochiales ecclesias*,

*Parochial Antiquities*, Vol. II.  
p. 355.

*Jur. Eccles. Univ.* P. I. T. VI.  
c. II. p. 30.

Molan. *de Canonibus*, L. II.  
c. VIII. pp. 158-9.

*sed etiam ut quales oves pastores habeant, cognoscant et ad episcopum referant.*" Over all the inhabitants<sup>1</sup> of every village, within their jurisdictions, writes Dr. Kennett, deans rural exercised a general inspection and superintendence; and, if *any* Christians lived in any open and scandalous sin, the deans were bound to reprove their offence, and admonish them to repent, as they would answer it to God and the church. This power was entrusted to them in their *personal* capacity, independent altogether of their chapters; and very important it was in preserving the peace, and asserting the discipline of the church<sup>2</sup>.

*Parochial Antiquities*, Vol. II. p. 354.

The church, by her canons, interfered, at an early date, in support of archiepiscopal government over the *laity*—the *imperitum vulgus* of the oft-cited decretal of Pope Gregory—enacting in the forty-fourth canon of the

Dr. Field, *of the Church*, Booke V. p. 507.

(<sup>1</sup>) The commission of the *periodote* and *exarchi* of the East extended to the *laity* as well as clergy. They equally supervised the spiritual and moral condition of *all*; and by correction, admonition, and encouragement, as need was, helped forward the salvation of *all*. See Balsamon's, Zonaras's, and Aristenus's glosses on the fifty-seventh canon of the council of Laodicea, in Bishop Beveridge's *Pandects*, Vol. I. pp. 479-80; and Priaulx's *Brief Account of the Office of Dean Rural*.

*H.D.R.* Vol. II. Appendix.

(<sup>2</sup>) The following anecdote from Pegge's Biography of Bishop Greathead shews the fact of their interference even with the civil authorities, where the latter violated the discipline of the church, its rights, and privileges.—"Roger de Lexinton, itinerant justice, and his associates, held pleas of blood on a Sunday at Lincoln (*A.D.* MCCXLVI.), and H. the rural dean—*decanus Christianitatis*—told them 'it was a thing that ought not to be done:' upon which they gave him opprobrious language, shut up the door of his house, and seized on his effects, with some lands which he held in trust for his nieces, and some goods of his relations, for the king's use. The bishop of the diocese, when he heard it, wrote to Lexinton, observing to him, how strange it was, that men of their respectable

Pegge's *Life of Bishop Grosseteste*, p. 88.

SS. CC. Tom.  
VI. col. 646.

Thomassin. *V. et*  
*N.E.D.* Tom. I.  
P. II. l. i. c. v  
p. 225.

CC. M. B. *et* H.  
Vol. I. p. 547.

council of Auxerre (A.D. DCCLVIII.) "*Si quis ex secularibus institutionem aut commotionem archipresbyteri sui, contumaciâ faciente, audire distulerit, tamdiu à liminibus sanctæ ecclesiæ habeatur extraneus, quamdiu tam salubrem institutionem adimplere non studuerit. Insuper et mulctam, quam gloriosissimus dominus Rex præcepto suo instituit, sustineat.*" And, yet farther to enforce the jurisdiction of archpriests rural, she invested them with a coercive authority over the persons of *lay-offenders*—"Videat archipresbyter," says a capitulary of the year DCCCV, "*ut diligentissimâ examinatione confiringantur; sed tali moderatione fiat districtio, ne vitam perdant.*"

On the abolition of the *chorëpiscopî* of the diocese of Meath, and the transmutation of the poorer episcopal fees into the heads of rural archipresbyterates, it was ordered by Cardinal Paparo (A.D. MCLII.), and repeated

respectable characters should punish a man for informing them of what was just and right; and it certainly was but just and right, that pleas of blood ought not to be held on a Sunday; since the canons directed that the day should be kept holy, and forbad that markets should be held, or pleas prosecuted, or any person be adjudged either to death or punishment, upon it. The Dean, he said, ought therefore to have been commended by them, and rewarded, for cautioning them against sinning, rather than punished; and would have been culpable himself, if he had not apprized them of their fault. His lordship, in the conclusion, beseeches and intreats them to have regard to the Sabbath of the Lord, if they were desirous of being true and obedient sons of Christ the legislator, and his spouse the church; and, if the matters reported to him were true, that they would redress them; remembering, that, supposing the Dean had given them offence, it was not their business to punish him, since, according to the law of God and the canons, the personal faults of clergymen are not to be animadverted on or punished by secular judges; nor would the church ever suffer ecclesiastical liberty to be so injured and insulted."

by Bishop Rochfort (*A.D.* MCCXVI.)—“*Ut archipresbyteri de futuro instituendi non solum perpetuam et personalem residentiam faciant, verum etiam cleri et populi infra limites suorum decanatum sollicitudinem gerant.*” A few years later, in the diocese of Clermont, the archpresbyters were charged to inquire in their personal visitations “*summarie de omnibus notoriis; et si quid est quod scandalum generet ibidem in populo, sive clero &c.*”

SS. CC. Tom.  
XIV. col. 319.  
can. VIII.

To aid deans rural in obtaining information of offences committed by the *laity* within their precincts, the clergy themselves are commanded by the synod of Saintes (*A.D.* MCCLXXX.) to lay all grave faults before the dean of their district; that he, again, may certify the archdeacon, or bishop, of the same—“*Peccata notoria de quibus scandalum in populo generatur, significant sacerdotes decano, et decanus archidiacono, vel episcopo: nisi forte per eos sint sopita:—timentes ne pœnam incurrant, si per alios scandalum deferatur.*”—if the bishop became acquainted with offences from any other than the appointed legitimate source, the negligent parties were to be subjected to canonical punishment.

SS. CC. Tom.  
XIV. col. 719.  
can. XV.

On no account were the deans, in their inspectional and correctional capacity, to accept any pecuniary composition for crimes amenable to their jurisdiction; either for the concealment and suppression of them, or for inflicting less severity of punishment on the criminals than their transgressions merited,—and this on penalty of grave punishment and removal from office. Such was the decree of Walter de Cantilupe, bishop of Worcester (*A.D.* MCCXL.):—“*Nec decani pecuniam recipiant pro criminibus celandis, et omnino supprimendis, vel remissius puniendis. Quod si decani fecerint, ab officiis amoti, gravius*

CC. M. B. et H.  
Vol. i. p. 671.



*puniantur.*" Nor were their apparitors, if guilty, allowed to go unpunished:—" *Apparitores etiam decanorum, si crimina celaverint, per officialem episcopi graviter puniantur.*"

Brown's *Fasciculus Rerum*,  
p. 428.

Again, in the Ratisbon constitution of Cardinal Campegio for the reformation of ecclesiastical abuses (A.D. MDXXIV.), the deans are charged not to connive at crimes that ought to be denounced, not to wink at violations of the ordinances of the cardinal, "*ob pecuniam ultrò oblatam, aut alterius rei gratià, sed potius ad pœnas de jure vel consuetudine debitas contra delinquentes, pro delicti qualitate et officii sui debite procedant, &c.*"

But what were the offences against religion and morality, on the part of the laity, which conciliar law placed under the surveillance of our rural ecclesiastics, and commanded them thus honestly and resolutely to denounce?—All transgressions without exception were subject, according to the canonists, to their *cognitional jurisdiction*, though not to their *correctional censure*:—see Capitular Functions, Part v. § II. chap. IV.

J. De Athon,  
Lyndwood, Bar-  
bosa, *allique*.

Gibbon's *Codex*  
*I.E.A.* Tit. XLII.  
cap. VI. can. CIX.  
p. 964.

To the question—*What* offences were so subject? no better reply can be made, than that they were the same, for the most part, as the *crimes and persons to be particularly presented* by the *æditui* or *æconomi* of modern days, at episcopal and archidiaconal visitation-courts. These, according to the *Canons and Constitutions* of the church of England (A.D. MDCIII.), are, *adultery, whoredom, incest, drunkenness, swearing, ribaldry, usury, and other uncleanness and wickedness of life*;—which are enumerated as vices which *churchwardens, questmen, or synod-men* (vulgarly called *side-men*), are faithfully to present to their ordinaries. And in the preceding canons of A.D. MDLXXI,

we have “*adulteros, fornicarios, incestos, ebriosos, juratores, lenones, usurarios, &c.*” pointed out as persons ripe for the church’s censure.

Of such *offences* and *offenders*, and many more than are named in either of the quoted tables, *deans* rural heretofore took cognisance, as the extracts already adduced under the heads of *visitatorial* and *synodical duties*, and the after-cited canons of foreign and domestic councils abundantly demonstrate. Like the churchwardens, too, the *deans* were concerned in supporting the outward sanctity and rest of the Lord’s-day; and—yet farther—in granting dispensations from the strict letter of the law, when circumstances rendered it necessary to depart from its rigid observance—a power never entrusted to the lay-guardians of the church.

The *Canons and Constitutions*, by which our church is now regulated, were framed from elder codes, in the year MDCIII.; at which time the rural-decanal office (for all useful purposes of spiritual government) was virtually non-existent in England. So that the lay-wardens of the church—the successors of the older *testes synodales*—and the parochial clergy, were the only local helpmates of the hierarchy in sustaining the *good manners* and *religious observances* of the people—the only remaining props of expiring discipline. To these wardens, therefore, and their spiritual head, the incumbent pastor of each village, was consigned by the bishop and arch-deacon, under the sanction of the canons referred to<sup>1</sup>,

(<sup>1</sup>) But with this difference—the wardens and pastor could only *present* to the bishop or arch-deacon. They had no power of correcting *by themselves*; whereas the *deans* were capacitated to correct, under certain limitations.

*Parochial Antiquities*, Vol. II. p. 369.  
Atterbury's  
*Charge to the Clergy of Totness*, MDCCVIII.

the charge, once *principally* exercised by *Deans rural*, of “observing the behaviour of the parishioners concerning such faults as belong to the ecclesiastical jurisdiction.”

The canons of King James I. took no measures for the restoration of the then antiquated office of rural *Dean*. It is not mentioned nor alluded to, in his code. The previous permission (for it did not amount to a command) of the Elizabethan canon to appoint to the office had been disregarded in almost all the dioceses of the kingdom. And the earlier and more copious canon of the *Reformatio Legum Ecclesiasticarum* on the subject had never been other than a dead letter, from its first enactment.

But our selections have to do with other times, and other countries—with the surveillance of *laical transgressions*, at a period when such “*corruptele morum*” received little or no share of the churchwardens’ attention; and in countries where, perhaps, no like officers existed, or, if existent, were inefficient—where *Deans rural*, therefore, were functionaries of necessary and grave importance.

To such *laical faults*, then, as are particularized in the synods of the day, and made subject to *decanal* censure or delation, we proceed—premising, that<sup>1</sup>, of the more grave and incorrigible offences the *Deans* were bearers of information, by presentment, to the diocesan

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(<sup>1</sup>) This statement, perhaps, may need qualification. The usages of different dioceses varied so much in respect of *ruri-decanal* power, that it is difficult to specify exactly its limits. In some dioceses it was far more extensive than in others. In some the *Deans* had no judicial faculty, but reported every thing to the bishop:—in others, their local authority was prescriptive and independent, and extended to *all laical faults*.

synod;—of the lighter immoralities they took cognizance, and attempted correction, in their own *deanries*: —“*Corruptelas morum in populo reformare studeant*,” says the bishop of Meath (A.D. MCCXVI.), “*et si quas abstergere nequeant, ad synodum diœcesanam referant, ut de iis emendandis cum consilio cleri deliberari possit*.” Can. IV.

If, in the exercise of their *personal* jurisdiction, they had not sufficient influence over *laical transgressions* and *transgressors*, to effect the amendment required, they had a farther resource in the power vested in them, of calling together their *capitular* associates, the rural clergy of the district, and constituting local courts of Christianity; wherein they could inflict, by *judicial process*, within certain limits, condign punishment on obstinate offenders. If all their efforts failed, *personal* and *capitular*, then they had recourse to the ordinary and his consistory. But more of this anon.

CC. M. B. et II.  
Vol. I. p. 547.

Dr. Field of the  
Church, Booke  
v. p. 508.

The selections below made, in illustration of the specific vices and impieties of the *laity*, subjected to the supervisal of *deans* rural, are not the whole that might have been brought together under this head. I have not thought it necessary to repeat what have been elsewhere noticed, save in a few instances. Nor have I attempted to *classify* the breaches made by the *laity* in the discipline of the church—the offences against religion and morals, which the *deans* were to supervise and heal. The canons, inhibitions, and injunctions, pertinent thereto, are quoted *in the bulk*, (various and imme-

thodical as the sequence of their enactments may be), and are arranged, for the most part, according to their dates alone—no other plan seeming equally feasible. They relate, however, we may say, *in general*, to the *lives and conversation of the laity*.

CC. Rotomag.  
Provenc. P. I.  
p. 37.

By a decree of the *provincial council* of Normandy (*circiter A.D. DCCCC.*), it is enacted, "*Ut incestuosî, necnôn et adulteri, qui separantur à presbyteris, ipsis locis et major et decanus illorum habeant providentiam, ne iterùm, instigante diabolo, conjungi possint.*"

Const. Synod.  
Episc. Attrebat.  
4to.

By the canon "*de Sacramento Matrimonii*," of the *synodal constitutions* of the see of Arras (*A.D. MCCCCLXXV.*), the *deans* are ordered to transmit the names of *all adulterers* to the bishop's court, within a month "*à die notitiæ.*" And in the same diocese (*A.D. MCCCCLV.*), the following constitution appears against *laical laxities*:—

Ejusdem, De  
vitâ et honestate  
Clericorum,  
A.D. MCCCCLV.

. . . . "*Decanis et eorum loca tenentibus sub pœnâ excommunicationis præcipimus et mandamus, quòd moneant etiam laicos parochianos publicè in ecclesiâ auctoritate nostrâ, quod nullus etiam laicus teneat in domo suâ boullam<sup>1</sup> seu ludum taxillorum; nec recipiat in domo suâ ribaldos nec meretrices, cum ex talibus plura scandala sæpè necnôn piacula solent evenire. Alioquin trimâ monitione sic publicè factâ, dictos laicos talem domum tenentes, et præmissas viles personas frequentèr recipientes, diebus dominicis et festivis excommunicatos denuncient.*"

Brown's Fasci-  
culus Rerum,  
Vol. II. p. 382.

During the preceding century, Bishop Grosseteste of Lincoln complains, in a letter to his archdeacon, of

(<sup>1</sup>) Boula—aleatorium, tabularum ludus, ut opinor. Carpentier in *Append. Tom. I. col. 613.* Taxilli—lusoriæ tesserae, Gall. Dés. Carpentier in *Append. Tom. II. col. 966.*



the *laity* celebrating drinking-bouts, termed *scotales*—“*Faciunt, ut audivimus, laici scotales;*”—which ought not to be, and could not be, the good prelate adds, if the *deans* rural and bedels were duly watchful to prevent such immoralities. Wherefore, he charges the archdeacon, by the instrumentality of the fore-mentioned assistants, to put an end to all such *alehots, forbidden sports, “et cohabitationem Christianorum cum Judæis quantum possibile est, impedire.”*

See Spelman  
Gloss. Arch. in  
v. *Scotala*, p. 506.

The statutes of the diocesan synod of Ypres (A.D. MDLXXVII.) are copiously furnished with instructions for decanal supervision of the people at large:—“*Non tantum presbyteris et clericis decanos præfici intelligimus, sed et universo populo, &c.*”—“*De excessibus publicis, et quorumcunque incolarum suorum decanatum scandalosâ vitâ; de blasphemis in DEUM et sanctos; de suspitione hæresis, necnon de pugnis in loco sacro commissis, et aliis quibuscunque scandalosis factis; utpote de publicis adulteriis et sortilegiis, decani se per testes ad hoc evocandos, aut aliâs sufficienter informari curent: atque informatione habitâ, ut corrigantur, nos ulterius informant. Sint etiam solliciti, ut illorum, qui ex illegitimo concubitu nascuntur, parentes innotescant: ne ignorantèr postmodum per aliquos in gradu prohibito matrimonium contrahatur; et etiam ne hujusmodi delicta impunita maneant, et impunitas ipsis continuandi in peccato occasionem præbeat: mulieres tamen fornicarias post partum, factâ de his inquisitione, et expleto tempore, ad purificationem absque aliâ contradictione admittant, seu per suos pastores admitti curent.*”

Stat. Synod.  
Dioc. Ypres.  
Tit. VII. c. XII.

The projected *Reformatio LL. Eccles.* of Great Britain, of the reign of Henry VIII. and Edward VI., imposes on the archpresbyter rusticanus extensive personal

Reformatio Le-  
gum Eccles.  
c. v. p. 95.

duties among the *laity* of his district, in support of religion and morals:—"De idolatris et hæreticis, de simoniacis, de lenonibus et meretricibus, de adulteris et fornicatoribus, de iis qui duas uxores simul habent, atque maritos duos, de magis et veneficis, de calumniatoribus et blasphemis, de sodomiticis et ebriosis, de ultimarum voluntatum corruptelis et perjuriis, de injunctorum aut nostrarum aut episcopi violatoribus, inquirat. Et vocandi ad se, examinandi horum scelerum suspectos auctoritatem habeat. Omnem accusationis ortum, sive per famam publicam, sive deferentium testimonio probatum, vel suspectum, episcopo aut ejus loci ordinario infra decem dies in scriptis prodet. Qui autem venire ad eum recusaverit, per apparitorem vocatus, tanquam contumax censetur," &c. &c.

Ley's *Doubts*,  
&c. p. 50.

In the diocese of Chester, says the *doubtful* pastor of Great Budworth before quoted, "The deacons for many yeares past have had a great part of episcopall jurisdiction shared among them; and this by patent for lives or yeares from the bishops, allowing sometimes larger, sometimes lesse authority unto them: some have had power to censure *all offenders, and offences of the laity*; the crimes of incest and adultery alone excepted. And some have beene limited to the correction of some few faultes specified in their patents—*crimina et excessus quorumcunque laicorum, criminibus adulterii et incestus tantummodo exceptis*."

See Appendix  
to *H. D. R.*  
Vol. II. Diocese  
of Chester, *Patents*, &c.

*Synod. Mechlin.*  
Tit. XVII. cap. v.  
p. 451.

To check the loose habits of young persons, male and female, in frequenting taverns and houses of evil fame, on Sundays and holy days, the Belgian synods of the

seventeenth century passed many inhibitory canons, strongly and pointedly reprobating such gross immoralities, and inciting the rural archpriests to increased vigilance and activity, in order to put an end to them.

Little benefit, however, having been derived, as it appears, from mere canonical prohibition and condemnation, though backed by a pastoral letter of the archbishop of Malines, and enforced by a royal edict; nay rather, licentious revelries of all kinds, with their concomitants of drunkenness and prostitution, having increased, the metropolitan, at length, addressed circulars to all his rural deans, and through them to the parochial clergy of the province, to this effect:—" . . . *Ut dictos publicos inobedientes habeant tanquàm peccatores publicos, et ad sacramenta non admittant, assistentiamque suam iis denegent tùm in sponsalibus, tùm in matrimoniis, donec publicum scandalum repararint:*" and particularly addressing himself to the archpresbyters rural, he desires, in the conclusion of his epistle, "*Ut R.V. in suis visitationibus circa excessus istos et vesperarum ac catechismi omissiones diligentèr inquirant:*" and then, referring to his pastoral letter to the clergy—" *contra couenticula juvenum et puellarum*"—he earnestly enjoins the priesthood to certify him, "*per reverendos dominos decanos rurales,*" of any improvement that may subsequently ensue in the discipline of the diocese within their knowledge.

*Monumentum  
ad Cap. v.  
No. XXII, p. 452.*

With the assistance of the parochial incumbents, the deans of Belgium were bound to see that the duties of the *Lord's-day* were strictly attended to by the laity,

*Van Elpen Jur.  
Eccles. Univ.  
P. II. Tit. XVII.  
c. III. p. 447. &  
c. VI. p. 454.*

and that no tradesmen, artificers, or labourers in agriculture<sup>1</sup>, followed their worldly callings on that day, or on festivals, without urgent need;—for which a dispensation was to be granted by the Dean of Christianity, of the district, or, in his absence, by the parochial minister. To this purport the synod of Cambray declares: "*Licetum non esse molitoribus, braxatoribus, lanionibus, et pisto-ribus sua opificia diebus festis exercere, nisi ob notabilem necessitatem determinatam per officialem et magistratum loci, de consilio decani Christianitatis, aut in ejus absentia, pastoris loci.*"

Van Espen *Jur. Eccles. Univ.*  
P. II. Tit. XVII.  
cap. VI. p. 45 l.

But, subsequently, the civil magistrate usurped the privilege of the ecclesiastic, of granting dispensations to husbandmen; and abuses ensued. Wherefore, in a convention of the rural deans of the archdiocese of Malines (A.D. MCCLXIII.), held under the archbishop, it was decreed: "*Ad evitandum abusum quo in aliquibus locis ballivi et officarii laici pro certo pretio permittunt inconsulto ordinario, archipresbytero, vel ejus deputato, quod diebus festivis et prohibitis rustici arare possint et carrucare, archipresbyteri agent istic loci cum prædictis ballivis, curabuntque significari dictis rusticis, eos per similem licentiam non*

Sparrow's *Col-lection of Ar-ticles*, pp. 8. 68.

(<sup>1</sup>) By the *Injunctions* of King Edward VI. (A.D. MDXLVII.), repealed by Queen Elizabeth (A.D. MDLIX.), it is enacted: "All parsons, vicars, and curates shall teach and declare unto their parishioners, that they may with a safe and quiet conscience, in the time of harvest, labour upon the holy and festival dayes, and save that thing which God hath sent. And if for any scrupulosity, or grudge of conscience, men should superstitiously abstain from working upon those dayes, that then they should grievously offend and displease God."—For this licence, however, I can quote no authority save that of the heathen poet!

Virgil. *Georgic.*  
I. 268.

"*Quippe etiam festis quædam exercere diebus*

"*Fas et jura sinunt &c.*"——

*exafuros correctionem judicis ecclesiastici ; et si id ipsum non sufficiat, aut tales ballivi non deficiant, transcribent ordinario, aut vicariatu, aut officiali, ut desupèr provideatur ; interùm non impeditur rusticus, qui ab archipresbytero, vel pastore, dispensationem obtinuerit, istum ballivum vel officiarium dictæ dispensationis certiore reddere.”*

The occasion on which the deans were usually called on to grant these dispensations in country districts, was harvest-time—for collecting the fruits of the earth—when either an invading army was likely to destroy them, or an unfavourable state of weather necessitated dispatch:—then the deans might dispense with the strict letter of the law—“*Ne occasione momenti pereat commoditas cœlesti provisione concessa.*” Of the pure necessity of the case, the civil magistrate, it seems, was the sole judge, according to the interpretation of Zypæus (*de Feriis*, N°. iv.); but of the obligation of the precept of the decalogue or church, the archpresbyter rural alone, or the incumbent pastor, in the absence of his superior.

*Zypæi Notit.  
Jur. Belgic. de  
Feriis, No. iv.*

A few more *laical* breaches of church-discipline remain, to which the attention of our rural censors was solicited. Of this number was *usury*—a vice still presentable by churchwardens in England, and of old severely animadverted on by their superiors, the deans of Christianity. Even where the temporal power takes notice of *usurious* transactions, we are told, there is always a reservation to the spiritual jurisdiction of its right to punish the same by “*the correction of the souls*” of *usurers*. Accordingly, we find, the *synodal constitutions* of the see of Arras (A.D. MCCCCLV.), in a canon



*Constitutiones  
Synodales Epi-  
scopatus Attre-  
batenfis, A.D.  
MCCCCLV.*

“*de usuris et usurariis contractibus*,” strictly forbidding all *usurious* trafficking, and commanding the deans rural of the diocese to give publicity to the interdict of the church against such as are guilty of it, with their wives and families; because “*usurarum vorago devorat et exhaurit damnabiliter facultates*.”—And in the diocese of Salzburg (*A.D.* MDLXIX.), the deans are ordered to inhibit Christian burial to all persons who had been guilty, during life, of *usurious exaction*.

*Const. Synod.  
Salisb. L. I. c. IV.  
p. 287.*

*Const. Synod.  
Episc. Attrebat.  
A.D. MCCCCLV.*

The abuse of *Apostolical Letters* by the rural *laity* was another grave offence cognisable by the deans of the country. By a decree of the church of Arras “*de abusoribus*,” the deans are charged to declare excommunicate, once at least in every fifteen days, all “*abusores litterarum apostolicarum quarumcunque, seu legatorum seu subdelegatorum &c.*”—By another, “*de portitoribus litterarum*”—all persons mal-treating the bearers of such letters are subjected to deanal monition; and, on their not making amends for injuries committed, to peremptory excommunication. So great was the guilt of *mal-treating* papal bulles, that the offence was excommunication *ipso facto*; from which the Pope *alone* could absolve, as we learn from the metrical catalogue of excommunicable crimes of the synod of Bayeux:—“*Si malè de bullâ papæ tractaveris ullâ . . . Pontificem quæras.*”

*Synod. Bajoc.  
can. LXXXVII.*

*Decreta Synod.  
Dioc. Antwerp.  
p. 228.*

By a decree of the diocesan synod of Antwerp (*A.D.* MDCX.), under Miræus, every female practitioner of the

obstetrical art is charged to appear before the dean of Christianity, "*ut ab eo examinetur an sciat substantialia sacramenti baptismi, et faciat professionem fidei integram, promittatque se dementiaturam pastori parochiæ eos qui ultra tertium diem baptismum infantium differunt, et eos, qui ab hæreticis infantes baptizari curant, aut permittunt.*"

And by a *synodal statute* of the diocese of Ypres (A.D. MDCXXIX.), all midwives who had not taken the canonical oath, appointed for persons of their order or faculty, are to be diligently sought for by the local deans, and presented at the bishop's court.

*Statuta Dioc.  
Ypresf. c. XVII.*

## CHAPTER II.

## PURGATIONAL DUTIES.

*Parochial Anti-  
quities*, Vol. II.,  
p. 355.  
*Antiquities of  
Canterbury*,  
P. I. p. 176.



IF any *laymen* stood accused of incontinence, or other grievous crime, in any spiritual court, the *Deans*, “for their wisdom and fidelity,” and “for the ease and benefit of the subject,” were entrusted to take their *purgation*<sup>1</sup>, (“a thing warranted,” in Somner’s words, “if not required by the provincial constitution *Item licet &c.*, ‘*De purgatione canonicâ*’);”—that is, explains Kennett, “to let the suspected persons clear themselves, either by their own oath, or the oaths of credible *compurgators*<sup>2</sup>,” (who swore that they believed what the accused swore was true,) and “so to vindicate their innocence, and stop the prosecution:”—which *purgation*, doubtless, in *laical* as

Lyndwood,  
*Prov. L. v.*  
T. XIV. p. 313.

*Provincial. loco  
citato.*

*Historical and  
Political Dis-  
course*, &c.  
chap. XXXVII.  
p. 56.

(<sup>1</sup>) The learned author of *Parochial Antiquities* introduces this branch of *Deotal* duty at the place we here allot to it, after the supervision of the conduct of the *laity*. But we might, perhaps, in our more systematic arrangement of official functions, have transferred it to the chapter on *ecclesiastical censures*, under the head of *capitular duties*.

(<sup>2</sup>) Nathaniel Bacon, speaking of the practice of *compurgation* amongst the Saxons in their judicatory, after having noticed *Torture* and *Ordeale*, adds:—“Where fame was yet more slight, and springing rather from want of charity and misapprehension, than promising circumstances, men were wont to be contented with a *voier dire*, or the oath of the party suspected, and the concurrent testimony of other men: the first attesting his own innocency, the other confessing their consciences of the truth of the former testimony; and therefore were, and still are, called *compurgators*.

well as *clerical* cases (in which latter it was so ordered<sup>1</sup> by canon), took place in the *deanry* where the offender lived.

The way in which *decanal* instrumentality was concerned in England, in effecting the conviction and amendment of the guilty, from the mild admonition of familiarity to the judicial impeachment before the church, is both curiously and instructively set forth in the canons of the council which Hubert Walter, archbishop of Canterbury, held at York in his Legatine capacity (*A.D.* MCXCV.):—the eighteenth ordinance of which enacts, that, when a person lay under the suspicion of any crime *upon common fame*, or strong presumption of guilt, he should be familiarly admonished by the *dean rural* (“*per decanum loci*”) three several times to reform himself; and, no amendment ensuing, that he should then be reproved by him, in the presence of two or three witnesses of his loss of character—evidence of *the fame*. After which, the canon proceeds: “*Si nec sic videatur corrigi, dicatur ecclesiæ, scilicet arguatur in capitulo, ut convictus vel confessus, canonicè puniatur; inficienti, si convinci non poterit, canonica pur-*

CC. M. B. et H.  
Vol. i. p. 502.

*gators*. Their number was more or less, and of greater or less value, according as the offence of the party suspected was of greater or less concernment. This manner of trial was of ancient use, and both it and that of *ordeale* under the directory of the *clergy*; yet this was the ancients by three hundred years, and first brought into this nation by the council at Berghamsted, under Bertwald archbishop of Canterbury. And it was performed sometimes more solemnly by solemn receiving of the Eucharist, especially if the person suspected was of the sacred function.”

(<sup>1</sup>) “*Statuimus quòd de cætero diffamati de criminibus seu excessibus, et de eis se purgare volentes, de uno decanatu in alium, seu ad loca ruralia, ubi non inveniuntur victualia venalia et vitæ necessaria, nullatenus protrahantur.*”

Lyndwood *Pro-*  
*vincial.* L. v.  
T. xiv. p. 313.

*History of  
Manchester,*  
Vol. II. B. II.  
c. XII. § III.  
p. 466.

Gibbon's *Codex*  
*I. E. A. T. XLII.*  
c. VII. p. 965.

Harris's *Ware's*  
*Works*, Vol. I.  
p. 149.

*Ejusd.* p. 290.

*gatio indicetur.*" This wholesome process of correction is made applicable to the clergy<sup>1</sup> in particular by Mr. Whitaker, in his reference to the York council: but Gibbon, Kennett, and others, allow it a general application; and therefore I here introduce it, as bearing on the *laity* as well as the *clergy*.

In presentments *on common fame* the accused generally insisted on his innocence; so that *admonition* failing in such cases, the *purgatory process* followed as a matter of course. And here the archbishop above quoted orders, that the *compurgators* exceed not the number of twelve; within which limit they were to be more or less, at the

(<sup>1</sup>) Even bishops underwent this process of *purgation* with *compurgators* in the higher ecclesiastical courts; of which Ware relates a curious example in the Life of Edward Dantsey, bishop of Meath (MCCCCXIII.—MCCCCXXIX). A malicious and unfounded prosecution having been commenced against the bishop for stealing a cup (*value* 13s. and 4d.) out of the church of Taveragh in the diocese of Meath, and the indictment removed into Parliament, he there declared his innocence, and demanded his ecclesiastical privileges. "Upon this he was turned over to his metropolitan, for his *purgation*; and appeared before Archbishop Swain judicially, and swore, that he did not commit the felony laid to his charge; and a sufficient number of *compurgators* swore the same; whereupon he was cleared, and the archbishop returned a certificate of his proceedings to the Parliament." The crime was subsequently confessed to the maligned bishop by an accomplice in its perpetration;—forgiveness and absolution followed; and the bishop was soon after promoted to the place of Lord Deputy.—Again, in the case of Donald, bishop of Derry, against whom Archbishop Swain (A.D. MCCCCXXVI.) had proved incontinence and other crimes, and imposed *penance*. The episcopal offender was made publicly to appear, and give satisfaction that he had lived chaste during the time of his *penance*, and to purge himself according to a prescribed form. But these anecdotes of *purgation* are here impertinent, being *clerical*, and not *laical*.



diferetion of the judge, according to the quality and circumstances of the accused, and the nature of the accusation. Farther,—that the *purgation* be admitted by the Dean on the very first solemn day, on which the party defamed is ready for the ceremony; and that no money be extorted by the fear of vexation to be occasioned by delay. The *Westminster canons* of the same prelate speak to the like effect, admitting no procrastination of *purgation* “*de die in diem, occasione pecunie captandæ* ;” but rather urging instant dispatch;—to which a later council adds—“on penalty of the Dean’s suspension from office.

*Parochial Antiquities*, Vol. II. p. 355.

*CC. M.B. et II.* Vol. I. p. 507.

Lyndwood  
*Prov. L. V.*  
T. XIV. p. 311.

If the party presented went through the appointed trial to the satisfaction of the Dean, he was dismissed as innocent, with an admonition to avoid in future whatever had been the *foundation* of the *fame*, whereby he had given offence and scandal to his neighbours. But if he failed in his *purgation*, that is, if he either would not make oath of his personal innocence, or could not find the prescribed number of *compurgators*, to swear their belief of his purity, he was *ipso facto* considered guilty, and accordingly had *penance* enjoined by the Dean, proportionable to his degree of guilt.

*Purgations* of this kind, and the failures of *purgation*, appear on our ecclesiastical records of visitation, Bishop Gibson tells us, without number. And it is probable, that, while the Decanal authority was in full vigour in the kingdom, it had much to do, in rural districts, with this branch of church-discipline. Indeed, Mr. Somner alleges, that, in the diocese of Canterbury, the rural Deans “had many times *purgations* committed by the commissary to their dispatch in their several Deanries, for

*Codes I. E. A.*  
Tit. XII. c. vii.  
p. 965.

*Antiquities of Canterbury.*  
Part I. p. 176.

*Codex I. E. A.*  
Tit. XLII. c. VII.  
p. 965. & Tit.  
XLVI. c. I.  
p. 1012.

the ease and benefit of the subject," (as I have already stated)—"and their wisdom and fidelity was intrusted for taking them."

Upon the discipline itself, as of old practised, the bishop of London has the following sensible remark:—"This discipline was certainly fair and reasonable; inasmuch as that person must be owned to be *ripe* for the censures of the church, who, in a whole parish, cannot find so small a number, to declare their *belief* of his innocence; nor, which is yet worse, to declare (after he has taken an oath in the most solemn manner) that they believe that what he has sworn is true."

## CHAPTER III.

## EXORCISTICAL AND CATECHISTICAL DUTIES.



**T**HAT deans rural were ever *conjurers*, in the common acceptation of the term, must not be inferred from the title of this chapter; though Minshew would have an *exorcist* to be a *conjurer*, and *exorcism* to be *conjunction*. Ecclesiastical *exorcists* they appear to have been in the dioceſes of Ypres and Cologne. The office of *exorcism* was not at firſt confined to a particular order: it was exerciſed by biſhops and preſbyters for the three firſt centuries; nor was it till the middle of the fourth, that a peculiar order of eccleſiaſtics was ſet apart for it. Deans rural did not exerciſe the office, as themſelves of the minor order of the Romiſh church, ſo denominated, but as ſpecially capacitated to perform *exorcism* by epiſcopal or ſynodal licence.

The ſynod of Ypres (A.D. MDCXXIX.) revokes all previous licences of *exorcizing*, whether granted by the then biſhop or his predeceſſors, and enacts — Can. IV. “*Ne tamen indigentes hoc exorcismorum remedio, per hanc noſtram revocationem careant neceſſario auxilio; concedimus per præſentes facultatem exorcizandi omnibus decanīs, in ſuis reſpectivè diſtrictibus, et etiam illis paſtoribus quorum nomina dictis decanīs tradidimus, publicanda in proximâ cujuſque congregatione.*”

The ſynod of Cologne (A.D. MDCLXII.) inveſts deans

See Beveregii  
Synodic. Tom. II.  
p. 191. Annott.  
in Conc. Antioch.  
can. x.

Statuta Synodi  
Diœceſanæ  
Ypreſis,  
De Decaniſ &c.  
can. III. IV.

Decreta Synodal.  
Arch. Colon. p. 26.

rural with the same special faculty—"Ruralibus nostris decanis, ut in omnibus districtus sui locis exorcismos adhibere queant presentium tenore facultatem concedimus. Pastores verò et vice-pastores hanc facultate carentes, indigentes exorcizandos ad decanos, vel alios speciali exorcizandi potestate munitos mittant."

See Beveregii  
Synodic. Tom. II.  
p. 191.

Statuta Synodi  
Diocesane  
Ypresis,  
De Decanis &c.  
can. VI.

In the primitive church there existed a peculiar officer called a *catechist*, whose business it was to instruct the *catechumens* in the rudiments of religion. At first, indeed, the bishop performed this duty, as well as the previous one of *exorcism*, in his own person; but subsequently he consigned it to approved deputies—to presbyters, deacons, or others of inferior rank. Upon the deans rural of Ypres *catechetical* examinations occasionally devolved by delegation of the diocesan, not as an ordinary, but as an extraordinary duty:—Can. VI. "*Decani in suis visitationibus convocata juventute, breve examen catechisticum instituant; ut hac ratione pastorum diligentia, et puerorum profectus melius ipsis innotescat, et populus hanc instructionem magni aestimet, quam superioribus ita cordi esse perspiciet.*"

The union of *exorcist* and *catechist* in the same individual gave him authority, as well to *exorcize energumens*<sup>1</sup>, as to *instruct catechumens*.

Constitutions &  
Canons Eccles.  
A.D. MDCIII.  
Codex I. E. A.  
Vol. I. Tit. XVIII.  
c. VII. p. 366.

(<sup>1</sup>) By the seventy-second canon (A.D. MDCIII.) ministers of the church of England are forbidden "*to exorcize, but by authority*:"—"Neither shall any minister," says the canon, "without such licence, presume to attempt, upon any pretence whatsoever, either of possession or obsession, by fasting and prayer, to cast out any devil or devils, under pain of the imputation of imposture or cozenage, and deposition from the ministry."

## CHAPTER IV.

## FUNEREAL AND TESTAMENTARY DUTIES.



UNDER this head I place the few functions deans rural were charged with, in respect of *lay-burials* and *lay-testaments*. Watchful over *the people* of their deantries, during life, our ecclesiastics were not absolved from their charge even by the death of the parties over whom they exercised their care.

If the heirs or friends of any *deceased layman* objected to solemnize his *obsequies* with the usual formalities of *sepulture*, the fifty-fifth *constitution* of the synod of Salzburg (*A.D.* MDLXIX.), imposes on deans rural the enforcement of the necessary rites—"crucem, clericos, et luminaria;" and capacitates them to call in the aid of the secular power, when needed, to support and give effect to the spiritual. Christian burial, however, was to be altogether inhibited by the deans to *laymen* guilty of furious exaction; unless they had, before death, made ample restitution and satisfaction for wrongs committed—an object to be attempted, says the fifty-seventh constitution, by all possible means.

The wages of undertakers and bell-ringers at funerals—the time of tolling—and the provision to be made for *burying* the destitute poor—were all matters of rural-decanal settlement:—"Statuant decani et capitula ruralia, quantum in suis districtibus, mercedis causa, iis, qui dant operas in funere, et qui campanas pulsant, pro modo laboris

*Const. Synod.*  
*Salzburg* II.  
c. IV. p. 262.

*CC. Germania,*  
*Tom. VII. p. 577.*



*dandum sit: quibus etiam et quamdiu in exequiis pulsare debeant, certa regula præscribatur, ac etiam modus, quo pauperes et miserabiles personæ, quibus defunctis aut nihil superest, aut ita parum, ut suâ impensâ humari non possint, à parochio sumptibus ecclesiarum sepeliantur, et exequiis debitis non fraudentur."*

*Theaur. Script.  
Vet. Martene,  
Tom. VII.  
col. 1336.*

By the *synodal statutes* of Cambray (*A.D. MCCCXXI.*) *de testamentis*, every curate is to notify, within a month, the *decease* of any *layman* within his parish to the *Dean* of *Christianity*;—who is allowed three more, from the time of the same being certificated by the curate, to communicate it to the bishop or his official,—and this on penalty of heavy pecuniary fines.

*Const. Synodal.  
Episc. Attrebat.  
A.D. MCCCCLV.*

By the *synodal constitutions* of Arras (*A.D. MCCCCLV.*) under the same head (*de testamentis*), it is imposed on all curates and their representatives, "*ut testamenta quæ scient non esse infra annum executioni demandata; vel de quibus non est ratio reddita, decanis denuntient infra mensem à tempore notitiæ ejusdem decani.*" The same precept passed the synod of Harlem (*A.D. MDLXIV.*), in relation to *testaments* bequeathing legacies "*in pios usus,*" under a penalty of twenty-five *scutata*: and another, to nearly the same purport, passed the synod of Antwerp (*A.D. MDCX.*) respecting "*pia legata;*" that they should be immediately notified to the *archpresbyters* rural of the district. Lastly, in the diocese of London, about a century and a half ago, it was particularly charged on the *Deans* rural "to make a return into the registry of the consistory court of all *wills unproved*, and especially such wherein any legacy is reported to be left to *charitable uses.*"

*Decret. Synod.  
Diœc. Antwerp,  
p. 302.*

*Codex I. E. A.  
Vol. II. p. 1550.  
§ XV. XIX.*

## SECTION V.

## SUPERVISION OF THE CLERGY.

## CHAPTER I.

SUMMARY VIEW OF THE DUTIES AND MINISTRATIONS OF **Deans Rural**  
TOWARDS THE CLERGY.

THE principal and more especial duty of arch-presbyters rural was to watch over the interests of religion and morality in reference to the *clergy*. “Not only were they to take care of the rude and ignorant multitude” (in the words of Dr. Field’s version of the canon-law), “but also, with continuall circumspection, observe and look unto the life and conversation of the *presbyters* dwelling in the lesser titles, and shew unto the bishop with what diligence each of them performeth the work of God.”

*Of the Church,*  
B. v. p. 507.

“In order to this,” writes the bishop of Peterborough, in his summary sketch of rural-decanal duties in relation to the priesthood of England, “the deans were to solicit the *clergy* to a due execution of their office, and a just regard to their function; to admonish them of all scandals and offences; to warn them against all cohabiting with wives and concubines; to forbid them an appearance at any indecent sports and plays; to press upon them the observation of canonical hours; to remind

Kennett’s *Parochial Antiquities*, Vol. II.  
p. 355.

them of being strict in their clerical habit and tonsure, &c. And, upon their default or offence in any such matter, to certify the bishop, by whom they were appointed to watch, and to inform with diligence and singular courage<sup>1</sup>.”

These duties of archpresbyters rural, so copiously quoted in the sequel from conciliar collections, (though not exactly in the order here laid down by Bishop Kennett), seem, says Van Espen in his *Codex of Church Law*, to flow necessarily from their *pastoral* care of the country clergy—of the lives and conversation—the spiritual ministrations, &c. of all *persons in holy orders*, within their respective *decanats*. Wherefore, on the authority of many Belgian synods, he, not inappropriately, denominates them “*pastores pastorum* ;”—and, upon this view of their archi-pastoral character, and its high importance to the interests of religion in the rural community at large, suggests the necessity of caution in appointing proper persons to the office:—“*Notandum*,” says he, “*quàm solliciti meritò sint episcopi, ut doctiores, zelosiores, in curâ animarum exercitiores, ac pietate morumque integritate eminentiores ad hoc officium eligantur ; utpotè, qui non laicis tantùm, sed et ipsis laicorum directoribus, et conductoribus, vitâ, consilio et exemplo, prodesse et præire debent.*”

*Jur. Eccles.  
Univ. P. I. Tit.  
vi. cap. II.  
pp. 29, 30.*

*Ex Synod. Mech-  
lin. De Decan.  
Christian. c. II.  
III.*

*Paroch. Antiq.  
Vol. II. pp. 356,  
357, 358.  
Decret. Gloss. in  
cap. I. v. subesse.  
Ducang. Gloss.  
in v. Archidia-  
conus.*

(<sup>1</sup>) “But at last,” the bishop subjoins, “all this supervising care seemed to devolve entirely upon the archdeacons, who, on this account, were dignified with the title of the *vicars*, the *curators*, the *privy-counsellors*, and the *eyes* of the bishop ; who by this time had got a distinction, that though the archpresbyter or dean was *major ordine*, yet the archdeacon was *major dignitate.*”

Not only was it given in charge to the *Dean*<sup>1</sup> to watch over, scrutinise, and, if necessary, censure, the conduct of parochial *priests*; but he was to instruct them in their duty, and to aid them with his countenance and advice, whenever circumstances of difficulty needed his assistance, or prudential reasons dictated to the *presbyter* the propriety of applying to the *archpresbyter* for the sanction of his authority;—the co-operation of both, for the advancement of spiritual interests in the rural districts of their joint ministration, being the earnest desire of the church, and the object of much of her synodal legislation.

Thus the synods of Belgium, esteeming the vigilant observance of country *pastors* and their flocks by *Deans* rural, and the general support of ecclesiastical discipline in rural parts, to be the *proper* business of these officers, legislate to that effect; enforcing particularly all care and attention to the morals and ministrations of the inspected. “*Decani rurales*” says a synod of Cambray, “*parochorum adeoque omnium, etiam sacerdotum et clericorum, quin et laicorum suorum districtum mores diligentè observent, potissimum autem ut pastores in prædicatione verbi*

See *Statuta Diœces. Ypres.* p. 27.

B. Van Espen  
*Jur. Ecclesiast. Univers. Part I.*  
Tit. vi. cap. ii.  
p. 30.

(<sup>1</sup>) “*Uno verbo, archipresbyteri ita suorum jurium curam agant, ut tamen nunquam excidat, quòd cum sint parochorum et sacerdotum sui districtis pastores, ante omnia solliciti sint de eorum salute et profectu spirituali, et singularem habeant inspectionem et curam de ipsorum vitâ et moribus, ac diligentia zeloque circa functiones pastorales; seque respectu pastorum gerant non ut dominantes in clero, sed tanquàm patres et formâ gregis facti ex animo. Pastoribus zelosis, et in officio pastoralis obeundo intrepidis et ferventibus consilio, auxilio, et solatio, contra obmurmuratores et refractarios suâ autoritate assistant et opulentur.*”

Van Espen *Jur. Eccles. Univ.*  
Part I. Tit. vi.  
cap. v. p. 32.  
Ex *Synod. Diœces. Antwerp.*  
(A.D. MDCX.)  
p. 330.

*Dei, sacramentorumque administratione, ac in cæteris omnibus suo muneri satisfaciant.”* (Tit. XIX. c. XII. Part. II.)

*Decret. Synod.  
Diece. Antwerp,  
A.D. MDCX.  
p. 330.*

The synod of Antwerp (*A.D.* MDCX.) expresses, in clear terms, the same obligation:—“*Archipresbyteri seu decani rurales, cum sint parochorum aut sacerdotum sui districtus pastores, solliciti sint de eorum salute et profectu spirituali, et singularem habeant inspectionem et curam de ipsorum doctrinâ, vitâ et moribus. Et vicissim mandamus parochis et sacerdotibus, ut decanos uti superiores suos agnoscant, revereantur et ament.”*

*Tit. XVIII. c. I.  
Synod. Audomar.  
A.D. MDLXXXIII.—  
MDCXI.  
Stat. Synod.  
Diecef. Ypresf.  
Tit. VII. cap. II.  
A.D. MDLXXVII.  
p. 27.*

That of Saint Omer yet more abundantly declares the archi-pastoral duties incumbent on deans rural—“*Decanorum esse in sui decanatus partibus sive parochiis curare, ut sacerdotes et clerici omnes, et singularitèr ut pastores vitam agent suâ vocatione dignam, ac talem ut nemo de ipsis queri possit, nihilque in ipsis, nisi grave, modestum, imitationeque dignum conspici; deinde in hoc advigilare, ut pastores in prædicatione verbi Dei, sacramentorum administratione, et omninò in functione pastoralis officii sui rectè, diligentèr, et quemadmodum oportet, versentur: adhæc ipsos quandò opus fuerit visitare, monere, corripere, consolari, consilio ipsis subvenire: denique veri pastoris officium erga illos, sanos et ægros, vivos et mortuos exercere.”*

*Synod. Lexov. in  
C.C. Rotomag.  
Prov. P. II.  
p. 505.*

“*Decanos, quos esse procul ab omni exactione volumus et cupimus, admonemus,*” says the synod of Lisieux, “*ut per totam diœcesim peccatis publicis et scandalis sapientèr occurrant. Et præcipuè curatorum, sacerdotum, et clericorum, ne eorum per laicos vituperetur ministerium, quorum esse debent specimen et exemplar.”* (*De Decanis.*)

*Tit. XXI. cap. VI.  
Synod. Namur.*

The synod of Namur (*A.D.* MDCXXXIX.) subjoins to the other specified duties—that the deans exhort the rural presbyters and clergy at large, within their influence,



“*Ut quotidie aliquid temporis orationi et lectioni spirituali tribuant:*”—and farther, bids them furnish themselves with accurate *notitiæ* of the state of their subject parishes and *priesthood*—to be supplied to them by good and faithful pastors—“*à quibus excessus vicinarum ecclesiarum addiscant.*”

Tit. XX. c. XXXV.

Lastly, the synod of Cologne (A.D. MDCLXII.) enacts, “*Decani rurales de pastorum, et vice-pastorum sui districtus salute, ac profectu spirituali solliciti, diligenter eorum vitæ, morum, et doctrine curam gerant; ideòque præter visitationes ordinarias, datâ occasione, sæpiùs etiam per annum parochias sui districtus inspiciant, et præcipuè indagent, an pastores, seu vice-pastores apud oves suas resideant, piè, laudatèque vivant, suo, ut decet, fungantur munere, præsertim dominicis, et festis diebus, sacrum canant, concionentur, catechesi juventutem imbuant, et ecclesiastica sacramenta, quæcunque diei ac noctis horâ requirantur, piè, promptèque administrant.*”

Stat. Synodul.  
D. M. II. Arch.  
Coloniensis, P. II.  
T. v. c. VI. § IV.  
p. 147.

Such is an outline of the duties of archpresbyteral superintendency over the *manners* and *ministrations* of the *clergy*, to be hereafter filled up in detail:—but the connexion between the *priest* and *archpriest* of the country terminated not with *those duties* alone; there were others of a purely *spiritual* and *sacerdotal* character, by which the parties were more intimately united; and which I shall first endeavour to elucidate.

## CHAPTER II.

ARCHIPRESBYTERAL OR ARCHIPASTORAL MINISTRATIONS OF **Deans Rural**  
TOWARDS THE CLERGY.

*Stat. Synod.  
Dioc. Yprenf.  
capp. III. IV. VI.  
pp. 281, fegg.  
Stat. Diocess.  
Gandavensf.  
Tit. XVI. c. IX.*



So it was the archpresbyter's<sup>1</sup> office to visit, admonish, correct, console, and counsel the clergy, and to exercise the character of a true shepherd of the *priestly flock*, in health and in sickness, in life and in death;—so it followed, that whatever *pastoral duties* of a purely spiritual nature the parochial minister performed to his subject flock, the archpriest or archpastor executed towards the *shepherds* themselves; by whom, in return, the church decreed, he should be equally acknowledged, respected, and beloved.

*Decret. Diocess.  
Synod. Antwerp.  
Tit. XVI. c. IV.*

Thus, as it was incumbent on the pastors to administer the sacraments to their flocks in sickness, the synod of Antwerp (*A.D.* MDCX.) inculcates the same attention, on the part of the deans, to the spiritual wants of the sick and moribund clergy—" *Ubi intelligent archipresbyteri aliquem è sui districtus pastoribus aut sacerdotibus periculose*

(<sup>1</sup>) The terms archipresbyteral and decanal being used synonymously throughout the work, the former might be thought not to designate with sufficient clearness the duties which are the subject of the present chapter. By the epithet archipresbyteral, as here employed, the author means to denote those functions which deans rural exercised as superior or archpriests towards the inferior priesthood—purely pastoral and sacerdotal ministrations. Perhaps archipastoral is a better term.

*laborare, statim ad eum excurrant, moneantque ut saluti sue consulat, eique, si opus est, sacramenta administrent &c.”*

—“*Deinde adhortentur,*” adds a synod of Cologne (A. D. MDCLXII.), “*ut testamentum legitime condat, si id non fecerit prius, atque ad felicem salutaremque ex hac vitâ egressum, piis ad DEUM suspiriis, ac orationibus se componat.*”

Again:—“*Cùm pastorum sit subditis suis è vitâ decedentibus iusta persolvere, etiam archipresbyteris jus est,*” says Van Espen, “*omnibus ecclesiasticis, tam sæcularibus, quàm regularibus, extra monasterium degentibus, in suo districtu morientibus, sacramenta administrare, et officium funebre facere.*” And again, writes Gaspar Nemius to the deans of Christianity of the diocese of Antwerp;—“*Decani Christianitatis administrabunt sacramenta sacerdotibus externis aut in sacris constitutis non beneficiatis, et eorum exequias celebrabunt.*”

These holy ministrations were not alone annexed to the archipresbyteral institution in the dioceses of Belgium and its vicinity: they obtained also in the South of Europe. Visiting in sickness the *parochi* of their respective districts was imposed on the plebans, or archpresbyters rural, of the Milanese province, by Archbishop Borromeo. The canon seems to apply generally to all the spiritual superintendents of the country, who had ecclesiastical jurisdiction under the bishop—“*Plebanus vel archipresbyter, vel præpositus, in cujus plebania, aut archipresbyteratûs, præposituræ finibus ægrotus habitat*<sup>1</sup>;” —

*Decret. Synodal.*  
D. II. Arch.  
Colon. Tit. v.  
c. iv. p. 146.

*Decret. Dioces.*  
*Synod. Antwerp.*  
T. XVI. c. v. apud  
Van Espen.

*Ordinationes*  
*Dioc. Antwerp.*  
Tit. XVI. 7.  
See *Synod.*  
*Dioc. Namur.*  
Tit. XXI. cap. ix.  
MDCXXXVIII.

Thomassin. *V. et*  
*N. E. D.* Tom. I.  
P. I. L. II. c. vi.  
p. 228. III.  
*Art. Eccles. Me-*  
*diol.* pp. 67—  
337, 338.

(<sup>1</sup>) The archipresbyter (it may be remarked) was an older institution than the præpositus, and differently appointed—being a life-functionary; whereas the præpositus was only *durante beneplacito*. The latter office originated with Borromeo; and, I believe, supplanted, by its greater usefulness

though the character of these officers, and their extent of jurisdiction, respectively, somewhat differed <sup>1</sup>.

usefulness in the diocese, the former. While existing, however, the Milanese archpriests performed the above duty of visitation of the sick *parochi*; and, probably, afterwards, the same devolved on the *præpositi ruris* or foraneous vicars, who approached more nearly to the type of rural deans. But of these ecclesiastics we have elsewhere spoken.

See Part IV.  
chap. VI. § 7.

(<sup>1</sup>) To this chapter might have been annexed the *penitentiary* duties of deans rural, as *confessors* of the parochial *clergy*; but I have thought it better to defer them till we come to speak of the deans' connexion with *sacraments* and *sacramentals* generally. Under the church of Rome, *confession* and *penance* formed an important branch of the office in rural districts. Deans were *confessors* and *penitentiaries*, both for the *clergy* and *laity*, at a very early period.

## CHAPTER III.

DUTIES OF **DEANS RURAL** IN REFERENCE TO CLERICAL DEATHS,  
FUNERALS, TESTAMENTS, &c.

TO report to the dioceſan biſhop the names of all clergymen who *died* within any of the rural **DEANIES**, was a duty anciently impoſed on their preſidents:—“*Præcipimus omnibus decanīs,*” ſays the church of Melun, “*quòd de cætero inquirant, et in ſcriptum redigant nomina omnium presbyterorum, qui in decanatibus ſuis diſceſſerunt; eaque deferant ad ſynodum recitanda, ut oremus pro eis, et ſinguli presbyteri faciant ſervitium ſpeciale. Hoc enim debent libentèr facere, quia cum deceſſerint ſimilitèr fiet pro eis.*” (Can. LXXVIII.)

Nearly the ſame words occur in the fifty-ſeventh canon of the *Conſtitutions* of Odo, biſhop of Paris (A.D. MCXCVII.); and in the *Inſtructions to the DEANS RURAL* of the dioceſe of Rouen (A.D. MCCXLV.);—where the proceſs of notification was this:—the rector of the neareſt adjoining pariſh, as ſoon as he heard of the *death* of a clergyman, made it known to the **DEAN**, and the **DEAN** to the arch-biſhop, or his repreſentative, by letter—ſpecifying the day of the *decease*, and whether the party *died teſtate* or *inteſtate*; in order, adds a ſynod of Liſieux, that a ſucceſſor to the vacant cure be ſelected to perform the duties of the church. The *Synodal Conſtitutions* of the ſee of Arras (A.D. MCCCXLIV.) do not materially differ

*Statuta Syno-  
dalia Eccleſiæ  
Meldenſis.  
Theſaur. Anecd.  
Tom. IV. col. 904.*

*SS. CC. Tom.  
XIII. col. 736.  
CC. Rotomag.  
Prov. P. II.  
pp. 79. 84.*

*CC. Rotom.  
Prov. P. II.  
p. 515.*



CC. Synodal.  
Episc. Attrebat.

from those above quoted of the churches of Melun and Paris.—It is decreed by them, “*Quòd singuli decani in synodo legant nomina curatorum in suo decanatu defunctorum, et quòd dicant ‘De Profundis’ cum oratione fidelium pro hujusmodi defunctis.*”

CC. M. B. et H.  
Vol. IV. p. 146.

By Cardinal Pole it is enacted, in his *Gloucester Injunctions* (A.D. MDLVI).—“*Touchinge the clergie,*” can. XIV. “That every deane shall from time to time within the space of ten daies signifie unto his ordinarie the death of every parson and vicar within his deanerie, and likewise within fifteen daies the lacke of any curate within his said deanerie.”

Codex I. E. A.  
Vol. II. p. 1550.  
§ XV. XIX.

In the “*Instructions for the Deans Rural*” of the diocese of London, published by Gibson in his *Appendix*, N<sup>o</sup>. II. “The rural dean is to make a return to the Right Rev. Father in God, the Lord Bishop of London, or his Chancellor, into the registry of the consistory court, of all the clergy who *dye* within his deanry &c.”

But, with the *deaths* of the clergy our rural officers had concernment, not merely as ministerial agents to notify such events to their superiors, but as under strict command to celebrate the *rites of burial* over all *departed* pastors of their deanates.—“*Mortuo aliquo pastore, decanorum officium est exequias celebrare &c.*” says the synod of Ypres;—and, again, that of Antwerp (A.D. MDCX.), “*Mortuis pastoribus justa persolvent archipresbyteri rurales.*”

Stat. Synodi  
Diæces. Ypres.  
Tit. VII. cap. IX.

Decret. Synodi  
Diæc. Antwerp.  
p. 331.

In some dioceses of England, heretofore, in order that due respect might be paid to the *departed* by his brethren of the same deanry, the dean rural was ordered to announce the *death* of any clergyman, parson, vicar, or officiating priest to all the mother churches of his jurif-

diction. Such was the enactment of W. de Bleys, bishop of Worcester (*A.D.* MCCXIX.), thus minutely enforced:—*“Quandò persona, vel vicarius, vel sacerdos ministrans mortuus fuerit, statim ut mors ejus denunciata est decano loci, idem decanus mortem ipsam denunciabit omnibus matricibus ecclesiis de decanatu suo, in quarum quâlibet, morte denunciata ejusdem, pulsabuntur campanæ pro eodem defuncto &c.”* And, on the meeting of the first subsequent rural chapter of the deanry, the dean, as president thereof, was to inquire if the said service had been properly and exactly performed; and if not, was to urge its immediate and plenary celebration.—Then, again, the archdeacon being made acquainted with the *decease* of the said minister, was to announce it formally to all the deans of the other deanries of his archdeaconry; in each of which, the same church and chapter-solemnities were to be holden in honour of the *departed*. But when the dean himself *“began the travel of eternity,”* it was incumbent on the archdeacon, or his official, forthwith to notify the incident throughout the archidiaconate, and to command the performance of the same religious services, with the addition, says the canon, *“quòd in decanatu in quo fuerat decanus, servitium pro defunctis in quâlibet ecclesiâ ejusdem decanatus iterabitur pro animâ ejus.”*

The synod of Ypres, at a much later date (*A.D.* MDCXXX.), briefly, but pathetically, enforces the like duties—extending the religious services to the whole diocese, in case of a dean rural's *decease*:—*“Postulat fraterna charitas, ut quos in vitâ habuimus laborum socios, iisdem post mortem Christianæ pietatis impendamus officium. Quarè mortuo aliquo pastore, cæteri ejusdem districtus, per decanum mouiti, primâ commoditate missam pro refrigerio*

*CC. M. B. et II.*  
Vol. i. p. 570.

*Stat. Synod.*  
*Diœc. Ypres.*  
cap. xv. p. 333.

*Decret. Synod.  
Arch. Colon.  
Part II. p. 150.*

*ipsius animæ celebrabunt: et similiter pro decano non solum pastores sui districtus, sed omnes hujus episcopatus decani idipsum præstare non omittent.*" And nearly the same words, thirty years afterwards, with the like touching preface, passed the synod of Cologne, under Maximilian Henry.

*C.C. M. B. et II.  
Vol. I. p. 571.*

Lastly, it devolved on the deans to extend their care and fidelity to the *goods* and *chattels* of *defunct* clergymen; and to see that no distribution of the property left at their decease took place, till it was certified to the bishop, or his official, that the parties had died *testate*—*"et interim faciet decanus omnia sua fideliter conservari."*

Van Espen  
*I. E. U. P. II.  
T. XXXII. c. VIII.  
p. 632.*

The same trust is committed to them by the synod of Tournay (*A.D. MCCCCLXXXI*):—*"Mobilia presbyterorum statim post eorum obitum sub securo et stricto arresto inventariari, ac inventariata teneri quoadusque ei constiterit, an presbyteri defuncti testamentum condiderint vel non; si autem intestati decesserint, bona prædicta per dominos decanos ad majorem utilitatem veniantur, et aliter super hoc decani disponant, quod ipsi inde gentibus et officiariis nostris computum et rationem loco et tempore debitis reddere possint; si verò testati fuerint, testamento probato, bona executoribus tradi."*

*SS. CC. Tom.  
XIX. col. 324.*

In the diocese of Autun it is enjoined by the *synodal statutes* of that church on all archpresbyters, to lay before the bishop the *wills* and *inventories* of curates *deceased* within their archpresbyterates, on pain of excommunication, and a fine to the bishop of ten pounds.

In that of Ypres, great responsibility is imposed upon them, in respect of the conservation of the church's property, on the *decease* of an incumbent:—"Decanorum officium est," says the synod of Ypres (*A.D. MDLXXVII.*),

*Stat. Synodi  
Dioc. Ypres.  
Tit. VII. cap. IX.*

“*omnia et singula munimenta portionis pastoralis, et quæ aliquo modo officium pastorale concernunt, conscribere, et sub inventario (ne distrahantur ab hæredibus) conservare, successori, dum institutus fuerit, sub attestatione de receptis, tradenda:*” and to the like purport speaks the synod of Antwerp (A.D. MDCX).

*Deeret. Synodi  
Dioc. Antwerp.  
p. 331.*

By the London “*Instructions to Deans Rural*,” above quoted, “the dean is to make a return into the consistory court of all who interfere with the *goods of deceased* clergymen without *probate of the will of the deceased*, or without *administration of his goods* granted by the ordinary of the diocese.”

*Codex I. E. A.  
Vol. II. p. 1550.  
§ xv. XIX.*

But while bringing forward these extracts in illustration of archipresbyteral duties to the *dying* and *dead*—more in place, perhaps, in later pages of our *ΠΑΡΕΠΡΟΝ*—we are suspending the far more useful functions which *Deans rural* were charged with, to the *living* clergy of their presidencies:—these, hitherto only slightly alluded to, we must now resume in detail; beginning with the canons pertinent to the *apparel* of ministers, and their *conversation* with regard to *life and manners*.

## CHAPTER IV.

## SUPERVISION OF CLERICAL APPAREL.



O see that the clergy were strictly canonical in their *habit* and *tonsure* was a leading article of the archpresbyter's duty in every deanry—one of the earliest, probably, with which he was invested in our island:—for, from Odo's canons it would appear, that there was a particular garb for the priesthood of England, in common life, as early as the year DCCCCXLIII; though it afterwards fell into disuse.

To support the church canons upon this point of *personal attire*<sup>1</sup>, the deans rural were to set the good example of walking *decently apparelled* in canonical costume with close copes—"Omnes decani rurales et presbyteri decentè incedant in habitu clericali, et cappis clausis utantur;"—being, moreover, in their own persons, "*honestè tonsi et coronati*"—in deference to the ordinance which they were to enforce in others. Such was the twenty-eighth canon of the provincial council of

CC. M. B. et H.  
Vol. I. p. 213.  
can. IV.

CC. M. B. et H.  
Vol. I. p. 589.

SS. CC. Tom.  
XIII. col. 787.

(<sup>1</sup>) In the fourth constitution of the papal legate Cardinal Gallo (A.D. MXXVIII.), red and green vestments are inhibited to deans, archpriests, and archdeacons:—"Decanis quoque, archipresbyteris, et archidiaconibus, ne vestes rubri coloris, vel virides habere præsumant: et specialitè archidiaconibus et præpositis qui habent curam animarum, ne cappas foratas habeant manicatas."



Oxford under Stephen Langton (*A.D.* MCCXXII.), with this penal consequence—that all violators of the law were liable to the correction of their superiors. But a prior provincial council at York under Hubert Walter (*A.D.* MCXCV.), having enjoined both *crown* and *tonsure* on the clergy generally, adds, that, if any *unbeneficed* priests contemptuously refused the distinction, (for the *beneficed* were brought to submit by deprivation<sup>1</sup>), they were to be *clipped*, against their wills, by the archdeacon or *deans*. (*Can.* IX.) “*Clerici . . . qui beneficia non habent, per archidiaconum, vel decanos tondeantur invito.*” Departure from the true *canonical vesture*, *crown*, and *tonsure*, in the *dean’s* own case, (unless he made immediate satisfaction on admonition) was *ipso facto* suspension from office and emolument, by the fifth *Legatine Constitution* of the Cardinal Deacon Othobon (*A.D.* MCCLXVIII.); who seems to have taken great pains, by various and peremptory injunctions about dress, to check its licentiousness; though all his efforts were of little avail. The clerical *beau* continued, despite canonical inhibition.

*CC. M. B. et H.*  
Vol. I. p. 502.

*Ejusdem,*  
Vol. II. p. 5.

In the days of Archbishop Peckham (*A.D.* MCCLXXXI.) complaint was still made of the unclerical costume of persons in holy orders; and, it was said, that the inefficacy of past legislation was occasioned by this—“*Quòd minores prælati*” (doubtless rural *deans*, and perhaps

(<sup>1</sup>) In the fullest *Articles of Inquiry at Visitation* which I have ever seen, viz. those of Bishop Seth Ward (contained in his *Mss. Notitiæ* of the diocese of Sarum) under the head of *Ministers*, is a *query*, Whether they have “*haire long*,”—but the good prelate does not impose on his *deans rural* the duty of clipping the *καρηκομώματα*.

*Notitiæ Sethi*  
*Episcopi Sarum,*  
fol. 80.

archdeacons) "*huiusmodi clericos monitruosos monere non audent*;"—wherefore the council enacts (the object of the church being defeated by the pusillanimity of her officers), that the penalties inflicted by the law of Othobon shall take effect without previous monition; and that special inquisition shall be made in every deanry after offenders of whatsoever grade and consequence, and process commenced against them "*in formâ canonicâ*"<sup>1</sup>.

CC. M. B. et II.  
Vol. i. p. 571.

If a clericus, duly shaven and shorn, were<sup>2</sup> made prisoner by the civil power, the dean rural was to intercede for his absolute and immediate liberation; or, at least, for his surrender to the custody of the church:—"Si clericus habens coronam vel tonsuram competentem, captus fuerit, sive fuerit notus sive ignotus, et liberatus, moneantur captores, et detentores per decanum loci, ut eum liberè sine difficultate recedere dimittant; nisi fortè suspectus fuerit in manifesto delicto; et tunc exigat eum decanus loci, ut ei custodiendus dimittatur auctoritate domini episcopi: quod si negatum fuerit, admonitione præmissâ, eodem die nominatim excommunicentur, &c. &c." *Ex Constit. W. de Bleys, Wigorn. Episc. (A.D. MCCXIX.)*—But when thus liberated by virtue of his clerical privileges, and the power entrusted to the dean by the bishop for that purpose, if the

(<sup>1</sup>) See Turner's *Hist. of England*, Vol. v. 4to. p. 30, note 48; Gibbon's *Codex I. E. A.* Vol. i. Tit. VII. on the Conversation and Apparel of Ministers; and Archdeacon Bayley's excellent *Charge to the Clergy of Stow (A.D. MDCCCXXVII.)*, p. 44, note (g), p. 9.

(<sup>2</sup>) The council of Rouen (*A.D. MCCXXI.*) can. XVIII. commands the civil power forthwith to declare the capture and imprisonment of clerks to the "Decanus loci . . . sine moræ dispendio."

faid *clericus* were found to be insufficiently "*tonforatus vel coronatus*," he was to suffer condign punishment at the hands of the bishop "*pro incompetenti tonforatione vel coronatione.*" See the *Constitutions and Canons Ecclesiastical*, (A.D. MDCH. can. LXXIV. *Decency in Apparel enjoined to Ministers.*

## CHAPTER V.

## SUPERVISION OF CLERICAL CONVERSATION, AS TO LIFE AND MANNERS.



IT has been briefly noticed at the commencement of our remarks on the inspectionary duties of *Deans rural* in relation of the priesthood (*sect. v. c. i.*), that they were to forbid the appearance of the clergy at any *indecent sports and plays*.

Upon this point, the *Constitutions* of Walter de Cantilupe, bishop of Worcester (*A.D. MCCXL.*), have an express canon—one among many declaratory of those duties and observances which concerned propriety of conduct in the clerical order, and were ceded to the more especial scrutiny and correction of the archdeacons and *Deans* of the diocese. The canon alluded to bears the title—“*Ne clerici intersint ludis inhonestis*,”—and prohibits in detail, “*Ne clerici intersint ludis inhonestis, vel choreis, vel ludant<sup>1</sup> ad aleas, vel taxillos; nec sustineant ludos<sup>2</sup> fieri de rege et reginâ, nec arietes levare<sup>3</sup>, nec palæ-*

*CC. M. B. et II.*  
Vol. I. p. 673.

*Glossar.* Tom. IV.  
col. 154.

Sparrow's *Col-*  
*lection*, p. 342.

(<sup>1</sup>) “*Ludere ad aleas vel taxillos*”—Angl. to play at dice. See Strutt's *Sports and Pastimes*, B. IV. c. II. p. 230.

(<sup>2</sup>) “*Ludos fieri de rege et reginâ*”—Angl. to play at cards, as Ducange thinks, who cites the words of the canon, with this remark—“*Videtur innui ludus quem vulgò Chartarum dicimus, siquidem eâ ætate notus fuerit.*” See Strutt's *Sports and Pastimes*, B. IV. c. II. pp. 240, seqq., and the *Canons and Constitutions* of MDCIII. can. LXXV. where the clergy are forbidden to spend their time “*in aleâ, chartis pictis, tessæris, alijsve ludis illicitis, &c.*”

(<sup>3</sup>) “*Arietes levare.*”—In Kennett's opinion, “*arietum levatio*” was the

*stras publicas fieri, nec gildas inhonestas; et præcipuè mercatorum et peregrinorum, quas omninò fieri prohibemus, per quæ multa novimus pericula provenisse."*

Again—in the diocese of Lincoln, about the same time, we find the illustrious prelate who then presided over that see, Robert Grosseteste, urging upon the same functionaries, by letter, continual vigilancy, in order to put a stop to these and such-like laxities:—" *Faciunt etiam, ut audivimus, clerici ludos quos vocant miracula<sup>1</sup>; et alios ludos quos vocant inductionem Maii<sup>2</sup>, festum*

Brown's *Fasciculus Rerum*, in *Append.* pp. 382. 413.

the same as running at the *quintan* or *quintal*; for which see his *Glossary* at the end of the *Paroch. Antiq.* Vol. II.; also Ducange in *vv.* Tom. I. col. 389. with a sketch of this sportive exercise; and see Strutt's *Sports and Pastimes*, B. III. pp. 89, seqq. Pl. IX. x. XI. XII.

This customary English sport, practised usually at weddings, was either so ludicrous or so dangerous, that it was often forbidden by ecclesiastical authority:—as in the diocese of Lincoln (*A.D.* MCCXXXII.); of Worcester, in the text; of Durham (*A.D.* MCCLV.); besides a constitution of that great preserver of discipline, Bishop Grosseteste—so called, as the facetious Fuller tells us, "from the greatness of his head, having large stowage to receive, and *store* of brains to fill it." "*Roberti titulus, nomine Grande Caput.*"

Kennett's *Glossary*.

*Church History*, L. III. p. 65.

Richard de Bardney.

(<sup>1</sup>) "*Miracula*"—miracle-plays, or miracles, as they were commonly called—spectacles representing the lives of saints and the most eminent scriptural stories—" *Miracula vulgaritè appellamus*," says Matthew Paris: and we learn from Chaucer, that, in his time, plays of *miracles* were the common resort of idle gossips in Lent. See Wharton's *Hist. of English Poetry*, Vol. II. pp. 69, seqq. 8vo. Edit. Clerks were not only often concerned in them, but they were acted in churches and churchyards, down to the time of the Reformation, and were revived by Mary I. as an appendage of the papistic worship. See also Strutt's *Sports and Pastimes*, B. III. c. II. pp. 116, seqq. Mr. Wharton assigns the probable rise of them to a very early period. See *Hist. of English Poetry*, Vol. III. § xxxiv. pp. 193, seqq.

*Vit. Abbat. ad Calc. Hist.* p. 56.

Pegge's *Grosseteste*, p. 118. note (c).

Wharton's *II. of E. P.* Vol. IV. p. 150.

(<sup>2</sup>) "*Inductionem Maii*"—May-day games—Carpentier in voce *Maium*,

*Glossar.* T. VIII. col. 1126.



*Autumni<sup>1</sup>; et laici scotales<sup>2</sup>; quod nullo modo vos latere possit si vestra prudentia super his diligentè inquireret."*

Kennett's *Parochial Antiquities*, Vol. I. p. 336.

Brady's *History*, p. 597.

With such keenness of scrutiny was the inquisition of the lives and manners of the nobility and commonalty, as well as clergy—all ranks and grades, from the highest to the lowest—carried on by the archdeacons and deans rural of this most excellent and energetic disciplinarian, at the instigation of the two orders of predicant friars of his diocese, that it was deemed a fit subject of complaint to the king, as an insupportable grievance and imposition

Maïum, "*usus erigendi arborem, primo die mensis Maii in compitis, vel ad ædes puellarum, &c.*" It was customary for the priest and people to go to some wood on May-day morning, and return, in a sort of triumph, with a May-pole, boughs, flowers, garlands, and such-like tokens of the Spring. See *Maï Inductio* in Cowel's *Law Dictionary*.

*Epist.* p. 331.

(<sup>1</sup>) "*Festum Autumui*"—answering, probably, to the modern harvest-home festival. Bishop Grosseteste enjoined his chapter of Lincoln not to permit, on New-year's day, the "*festum stultorum*," the feast of fools, to be played, as it was a vain and filthy thing.

*Eccles. Laws*, V. II. MCCXXXVI.

(<sup>2</sup>) "*Scotales*"—Johnson says these "seem to have been public computations, at the charge of some, for the benefit of others." Archbishop Edmund (A.D. MCCXXXVI.), in his *constitutions*, forbids the clergy to publish *scotales*. And, if any priest or clerk were guilty of such publication ("*bannum scotallorum*") or were present at *scotales*, he was to be canonically punished. *Can. vi.* Spelman glosses "*Scotala, scotalia, scotallum, scotal, et scotales—Juxta quosdam est computatio emungendæ pecuniæ gratiâ, vicinis advenisque à quolibet exhibita. Quasi dictum à scot, i. pecunia, et ale, i. cervisia: quod inverso vocabulo alii an ale-shot nuncupant.*" See Blount's *Ancient Tenures* by Beckwith, p. 509.

*CC. M. B. et II.* Vol. I. p. 636.

*Gloss. Archæol.* p. 506. in voce.

Beveregii *Synodico*. Tom. I. p. 418.

It is ever desirable to point out any evidences of connexion between the Anglican and Asiatic or elder Greek church:—these very computations are forbidden in the fifty-fifth canon of the council of Laodicea—ὅτι οὐ δεῖ ἱερατικούς ἢ κληρικούς ἐκ συμβολῆς συμπόσια ἐπιτελεῖν, ἀλλ' οἱ δὲ λαϊκοίς. See Balfamon *in loco*.

upon the liberty of sinners; and the king, by the advice of his council, interposed and stopped the inquisitorial proceedings. But how much the religion and good discipline of the diocese was asserted by the vigilance and activity of this exemplary bishop, aided by his spiritual deputies, the archdeacons and deans of his extensive jurisdiction, appears from the declaration which he himself made before the Pope and cardinals of Rome, on the occasion of his answer to the appeal of the knights Templars.

*Pegge's Life of Groffeste,*  
p. 148.

See Wharton's *Anglia Sacra*,  
Tom. II. p. 347.  
and Kennett's *Parochial Antiquities*, Vol. I.  
p. 343.

The council of Saint Omer (*A.D.* MDLXXXIII.—MDCXL.) prohibits pastors and their deans to join *clubs* and *confraternities in banquetings*—such being interdicted to all ecclesiastics; and that of Avranches forbids the clergy *generally* the pursuit of *field-sports, hunting, the use of fire-arms* and other *offensive weapons*, on pain of suspension *ipso facto*; and commands the rural deans of the diocese to have a watchful eye to such offences and offenders, and to inform the bishop of them (*can. vii. A.D.* MDCXCIII).

*Stat. Synod. Dioc. Audomar.*  
Tit. XVII. c. XI.  
p. 80.

*SS. Rotomag. Prov. P. II.*  
p. 345.  
*Synodi Abrincenses.*

Not only were the deans to see that the clergy, entitled to the distinction of *crown* and *tonsure*, canonically observed them;—not only to enforce them on the refractory and disobedient with their own hands;—but, in case of any members of the priesthood being, in any flagrant instances, guilty of behaviour proscribed by the church—*juggling, stage-playing, buffoonery*—such as was disgraceful to the sacerdotal distinction of *crown* and *tonsure*—the deans and higher officers were again and again ordered to deprive them of it.

*Thef. Anecd.*  
Marten. Tom. IV.  
col. 727.

SS. CC. Tom.  
XI. col. 788.  
CC. Rotomag.  
Prov. P. I. p. 135.

SS. CC. Tom.  
XIII. col. 1253.  
Mansi *Suppl.*  
ad SS. CC. Tom.  
II. col. 1057.

*Thef. Anecd.*  
Marten. Tom.  
IV. col. 858.

It had been early enacted, for instance, that no "*clerici*" should be "*joculatores, Goliardi, seu bufones*," . . . . . "*et si per annum illam artem diffamatoriam exercuerint, omni privilegio ecclesiastico sint nudati &c.*" Accordingly the *Constitutions* of the council of Sens (A.D. DCCCXV.) decree, "*Quod clerici ribaldi*" (*Juglers, Spelman. gl. in v.*) "*maximè qui vulgò dicuntur de familiâ Golie . . . . . per decanos Christianitatis tonderi præcipiantur, vel etiam radi, ità quòd eis non remaneat tonsura clericalis: ità tamen quòd sine periculo et scandalo ista fiant.*" The same canon is repeated, *totidem verbis*, in the council of Rouen (A.D. MCCXXI.) *can. VIII.*; of Chateau Gontier (A.D. MCCXXI.) *can. XXI.*; and again at Sens (A.D. MCCXXXIX.)—*See Spelman. Gloss.* pp. 264. 487--88. and Ducang. *Gloss.* Tom. III. col. 502. Tom. VI. col. 794.

Mountebanks, it seems, were commonly employed at the festivities attendant on marriages, and such-like merry meetings, in the thirteenth and fourteenth centuries; and the clergy too often prostituted their sacred profession to a participation of such absurd fooleries: connected with which there is a curious canon in the *instructions* for regulating the *decanal* office of the diocese of Liege (A.D. MCCLXXXVII.)—not prohibitory of these *revelries* altogether, but of the custom of sending the *jugglers* to be paid for their exhibitions before the *dean's* friends and relatives, out of the pockets of the inferior clergy of the *deanries*—*Can. XVIII.* "*Decani pro nuptiis consanguineorum suorum non mittant presbyteris suis subditis joculatores remunerandos, nec presbyteri suis subditis vel sociis, nec clerici clericis, &c.*"

The council of Treves (A.D. MCCXXVII.), in a canon devoted to *deans rural*, enjoins, “*Quòd decanì accusent vel deferant nobis vel officiali nostro omnes sacerdotes vel clericos lusores et tabernarios, fornicatores manifestos, et celebratores clandestinorum matrimoniorum, et usurarios, et negotiatores.*” and orders the clergy to make the like presentments of peccant *deans*. Nearly the same general ordinance “to all and singular archpresbyters” was imposed by the *synodal statutes* of the church of Autun, for strenuous and diligent execution, towards the close of the same century—“*Quòd cum omni solertiâ et curâ adhibitâ diligentèr inquirant, et subtilitèr investigent ab archipresbyteratibus suis, si sint aliqui sacerdotes aut clerici lusores, tabernarii, negotiatores, secum suspectas mulieres tenentes, et præcipuè incontinentis vite. Quos autem tales invenerint, eorum nomina nobis aut officiali nostro, quàm citiùs potuerint, mittere non posiponant.*” See also a canon of the synod of Constance (A.D. MCCCCLXXXI.), “*Contra presbyteros mercatores,*” in the latter part of the *Rouen Collection of Councils*, p. 571.

*Vet. Scriptor.  
Coll. Martene &  
Durand, Tom.  
vii. col. 113.*

*Thefsaur. Anecd.  
T. iv. col. 478.  
SS. CC. Tom.  
XIX. col. 304.  
can. XCIV.*

The “*Injunctiones ad Decanos*” of the winter synod of Rouen (A.D. MDVI.) impress on these officers, “*Ut frequentius quàm fieri poterit visitent suos curatos; et quos invenerint malè viventes, informationes super hoc faciant, et assignent eis diem coram officiali.*” Also, “*Ne frequentent tabernas, sed exemplum bonè vivendi tam in habitu, quàm moribus et conversatione suis subditis ostendant.*” —also, “*Ne pecunias accipiant directè vel indirectè à suis curatis; vel ab eis munera exigant ut eos sinistrè vivere permittant.*”

*CC. Rotomag.  
Prov. P. II.  
p. 107.*

Lastly, the synod of Bois-le-duc (A.D. MDCXII.) charges the *deans* of Christianity and others, “*Ut publicos concu-*

*Stat. Synod.  
Piscod. T. VII.  
cap. III. p. 37.*

*binarios, rufurarios, simoniacos, aliosque notoriè criminosos presbyteros ab altaris ministerio arceant,*" upon pain of grave punishment.

But of all *clerical transgressions*, there was none to which the watchfulness of rural deans was more sedulously directed than *incontinency*;—none, against which the councils of the church issued more frequent censures;—none, where negligence and connivance, on the part of deans and archdeacons, were more severely reprobated and punished. And, of course, in spiritual watchmen, expected and commanded to be keenly alive to the *carnal faults* of the inferior clergy, personal *chastity* was essentially required.

SS. CC. Tom. vi.  
col. 539.

Accordingly, as early as the year DLXVII, we find the second council of Tours decreeing, in its nineteenth canon, an effectual mode of ensuring the *continence* of bican archpriests, and of attesting the same to the church:—"Archipresbyteri bican, et diaconi, et subdiaconi, non quidè omnes, sed plures in hac suspitione tenentur à populo, quòd cum conjugibus suis maneant. Pro quâ re hoc placuit observare, ut quotiescùmque archipresbyter, seu in vico manserit, seu ad villam suam ambulaverit, unus lector canonicorum suorum, aut certas aliquis de numero clericorum cum illo ambulet, et in cellâ ubi ille jacet, lectum habeat pro testimonio. Septem autem inter subdiaconos et lectores, vel laicos habeat concessos, qui vicissim septimanas cum illo facere omninò procurent: et qui distulerit, fustigetur."—If the archpriests neglected the correction of the clergy ("*juniore suos*") in this *crime of conjugal inter-*



*course*<sup>1</sup>, continues the same canon, “*ab episcopo suo in civitate retrudantur in cellam, ibique mense integro panem cum aquâ manducent, et pœnitentiam agant pro sibi credito clero, quid nulli clericorum, juxta sententiam canonum, cum conjuge suâ manere permittitur.*”

Again, the council of Auxerre (A.D. DLXXVIII.) enacts, in its twentieth canon—“*Si presbyter (quod nefas est dicere) aut diaconus, aut subdiaconus, post acceptam benedictionem, infantes procreaverit, aut adulterium commiserit, et archipresbyter hoc episcopo aut archidiacono non intimaverit, integro anno non communicet; illi verò, qui hoc commiserint, deponantur.*”

SS. CC. Tom. vi.  
col. 644.

Lastly, the council of Rouen (A.D. MLXXII.) can. xv. under the same head, “*De clericis uxoratis,*” and “*Quales esse debeant decani,*” enjoins “*Ut tales decani eligantur, qui sciant subditos redarguere et emendare, quorum vita non sit infamis, sed meritò præferatur subditis;*”—implying therein that exemplary *abstinence* was expected in the persons of the deans themselves.

Ejusd. T. xii.  
col. 212.  
Conc. Rotomag.  
Prov. P. i. p. 56.

To enforce clerical *celibacy*<sup>2</sup> in England, Archbishop

(<sup>1</sup>) In the first three centuries, we hear of no injunction to celibacy; nor, indeed, till the pontificate of Gregory the Great (near the close of the sixth century), was this law universally received.

(<sup>2</sup>) Among the many proofs of the eastern origin of the British church, it is here pertinent to remark, that the early clergy of these isles—all the Anglican, and many of the elder Anglo-Saxon clergy—copied those of the Greek church, in *retaining their wives*. In the latter, even bishops were permitted to *keep their wives* till the council of Trullo (A.D. DCCXII.), according to Balsamon; and here in England, till the reign of Edgar, and the primacy of Dunstan, Mr. Johnson says, “It is certain, that even those of the clergy who lived in monasteries had their *wives cohabiting* with them. And the chronicle of Winton informs us, how, after a long struggle, they were at last ejected by the miraculous voice of a crucifix,

Johnson's *Pre-*  
*face to V. M.*  
Vol. II. p. cxiii.  
& p. 6. *note*,  
can. III.

Wilkins's *LL.*  
*Angl. Saxon.*  
*Eccl. & Civil.*  
p. 306.

*Works by He-*  
*ber,* Vol. XIV.  
p. 138.

Anselm, who regarded the *marriage* of the clergy as the most intolerable of all abuses, held a council at London (A.D. MCVII.), expressly directed *adversus incontinentes clericos*. Earlier attempts had been made by this prelate (A.D. MCH.), and by Lanfranc<sup>1</sup> his predecessor (A.D. MLXXVI.), by the *penitential canons* (A.D. DCCCCLXIII.), by Elfric (A.D. DCCCCLVII.), (the sin being equalized with murder, in its punishment, by the *penitential canons*) to impose *single life* on the English clergy. But, on the authority of Henry of Huntingdon, it had not been prohibited to them *generally to marry* till the tenth century. Afterwards—"when, by the attempts, and pressures, and tyranny, and arts of a hundred and thirty years' continuance, the clergy were driven from their *chaste marriages*," in the words of Jeremy Taylor,—during the protracted struggle that thereupon ensued between men's natural rights and the arbitrary injunctions of the papacy and its emissaries, the interference of

Burnet's *Hist. of*  
*the Reformation.*  
Vol. I. p. 42.  
Vol. II. p. 187.

crucifix, which yet was heard by none but the king and the archbishop." (Spelman. *Concil.* Vol. I. p. 492.)—Again, "When they, the clergy, were put out from their seats," in Bishop Burnet's words, "because they would not quit their *wives*, they were not *deprived* of sacred orders." . . . "In the Western church, *married* clergymen are noticed in many Spanish and Gallican synods; wherein bishops' and priests' *wives* are called *episcopæ* and *presbyteræ*." The reader, who may wish to see the subject of clerical *celibacy* discussed in a masterly way, is referred to Suicer *Thef. Eccles.* in v. Γάμος, coll. 725, seqq. ad 734. He will also find much valuable historical matter collected by the Rev. E. Pagitt, in his *Christiographie*, Part III. 4. *Marriage of Priests*, pp. 56, seqq.

Burnet's *Hist. of*  
*the Reformation.*  
Vol. II. P. II.  
B. I. pp. 187-88.

(<sup>1</sup>) Lanfranc did not impose *celibate* on the clergy in the villages, but only on those that lived in towns, and on prebendaries. But Anselm carried it farther, and simply imposed it on *all* the clergy: yet himself laments, that sodomy was become then very common, and even public.

Deans rural on the side of inhibition was again and again called for. Nor, indeed, when the Pope had apparently established his *anti-matrimonial* decree, and got the clergy partially to yield unwilling submission to it (which they did, as a mere law of the church, founded on no law of the Gospel), could the papal veto be subsequently upheld without the continued vigilancy of our rural officers,—themselves advocates by compulsion of the canons of *celibacy*, and invested by the church with power to inflict punishment for every violation of it in the persons of their subject clergy.

Accordingly, the tomes of the councils at large contain some few mandates, and those of our own islands more particularly abound with instructions to Deans, archdeacons, and other ordinaries, not only on this head of proscribed *conjugal union*, but also on the vices consequent upon compulsory *celibacy*. For “the church was overrun with a deluge of *incontinence*, *fornication*, *adultery*, and yet worse.” Since “those,” in Fuller’s emphatic language, “who endeavour to make the way to heaven narrower than God hath made it, by prohibiting what he permits, do in event make the way to hell wider, occasioning the committing of such sins, which God hath forbidden.”

But to return to Archbishop Anselm.—From a letter of Pope Paschal II. to the metropolitan, it is clear that<sup>1</sup>

Pegge’s *Life of Gruffeſtede*,  
p. 41.

*Church History*,  
p. 19. XII. cent.  
III. B.

Wilkins’s *LL*.  
*AS*. *ſuprà*.

(<sup>1</sup>) In the diocese of Sarum, in the commencement of the thirteenth century, *married* priests occur, fathers and sons, holding benefices in succession, without any notice of papal dispensation being granted to them, to capacitate them so to do. See *Vetus Registrum Sancti Osmundi penes Episc. Sarum*. The passage is more particularly referred to hereafter, under the head of “*Illegitimates*.”

CC. M. B. et. H.  
Vol. I. p. 378.  
Thomassin. V. et  
N. E. D. T. II.  
P. II. L. I.  
c. LXXXIV.  
p. 251. VI. seqq.

the clergy, in contempt of papal penalties, continued to marry—"In Anglorum regno, penè major et melior clericorum pars" are declared not only to be married, but, what is a much more extensive assertion, to be actually *the sons of priests*.—And the same was the case in France—where, as well as in England, extensive powers of dispensation were granted to the Pope's representatives, to make exceptions in favour of the clergy so circumstanced: while, at the same time, the laws of *celibacy* were to be more vigorously enforced for the future. Anselm took up the matter in good earnest, and under his primacy the *deans rural*, as supervisors of clerical *chastity*, are bade, in the council already referred to (the first in which they appear in such a capacity in England, for *celibacy* was not enforced in rural districts before), to swear, "*Quòd pecuniam non accipient pro tolerandâ transgressione statuti ut clerici castè vivant;*" and non-compliance with the oath is made punishable, with the loss of their *decanates*.

CC. M. B. et H.  
Vol. I. p. 410.

Ejusd. p. 502.

Again, under the title of "*ministri, quibus cum archidiaconis hoc incumbit*" (unless the reader would rather understand church-reeves than *deans rural*), they are commanded by the seventh canon of Archbishop Corboyl's Westminster council (A.D. MCXXVII.), "*omni studio et sollicitudine ab ecclesiâ DEI hanc perniciem (scil.) contubernia mulierum illicitarum omninò eradicare.*" Suspension is threatened by the York canons of Hubert Walter (A.D. MCXCV.), if the *deans*, by connivance, notify not to their prelates the *carnal excesses* of the clergy; while the divine benediction is invoked on those who from zeal declare them. *Can. xvii.*

Dr. Brady's *Hist.*  
*of England*,  
p. 537. A.  
Henry III.

Like vigilance is inculcated by the *constitutions* of Sarum (A.D. MCCXVII.), according to Dr. Brady—(but I

do not find any such fact in any Sarum document of this date); of Durham (*A.D.* mcccxx.); of Edmund archbishop of Canterbury (*A.D.* mcccxxxvi). Indeed, in all the canons (each pregnant with more severe restrictions than its forerunner) which passed the church at this period to promote the darling object of the papacy, the *celibacy*<sup>1</sup> of the clergy, rural deans and archdeacons were the constituted local watchmen of clerical continency. Nor, indeed, enlightened as was Bishop Grosseteste of Lincoln, and inclined on other points to contest the tyrannical interference of the papal court, did he on this particular subject shew more illumination than his contemporaries;—it being the reigning opinion of the day, that even the *conjugal duty* was not consistent with perfect sacerdotal purity.

Having enforced the standing order of *celibacy* in his diocese, Grosseteste had to contend with the abuses and immoralities consequent upon it: and accordingly, in one of his many letters to his archdeacons, preserved by Mr. Brown in his valuable *Fasciculus*, we find him animadverting on these officers for allowing the clergy to have intercourse with *focariæ*<sup>2</sup>:—“*Habent sacerdotes*

*Fasciculus Rerum in Append.*  
p.382. Epist. 107.

(<sup>1</sup>) Fuller tells us the clergy of the diocese of Norwich were particularly adverse to the project of priests' divorces, and in the same degree, we may suppose, troublesome to the deanal supervisors of morals. “Indeed Norfolk men are charactred *in jure municipali versatiffimi*,” says the witty historian, “and are not easily ejected out of that whereof they have had long prescription, and present possession: no wonder therefore if they fickle for their wives, and would not let go a moytie of themselves.”

*Church History,*  
c. xii. B. iii.  
p. 23.

(<sup>2</sup>) “*Focariæ ita dictæ sunt, ut placet Somnero in gloss. à curandis focis; hinc autem, ut videtur, ad aliusmodi ignes extinguendos alebantur à sacer-*

Brown, *not.*  
*marg. in loco*  
*citato.*



*plurimi suas focarias, quod etsi nos et nostros lateat cum inquisitionem super hujusmodi fieri facimus, his per quos fiunt inquisitiones, perjuria non timentibus, non debet tamen vos sic latere qui præsentialitèr super eos tam per vos quàm per decanos et bedellos vestros continuè vigilare tenemini."*

CC. Rotomag.  
Prov. P. II. p. 571.  
Synodi Con-  
stantiensis.

In the diocese of Constance (A.D. MCCCCLXXXI.) sentence of excommunication *ipso facto* passed the synod "*contra presbyteros notoriè concubinariorum et tenentes penes se focarias;*" and a strong injunction was laid on the deans of the country to denounce all such to the constituted ecclesiastic authorities, on pain of excommunication. But the continental deans do not appear to

Codex I. E. A.  
Vol. I. T. XXII.  
cap. XIV. p. 438.  
note.

*à sacerdotibus istius ævi—(et cujus quidam non, ubi tam nefariè prohibitum eis fuit sanctum matrimonium?)*"—See Ducange and Spelman *in voce*—and Bishop Gibson's *Codex (Lawful Marriage of Priests in our Reformed Church)*—"Not to mention," says he, "the abominations detected by the commissioners for visiting of religious houses *temp. Hen. 8.*, I will produce one more impartial evidence, viz. the acts of the metropolitanical visitation of Archbishop *Wareham*; in which we find, that in the two dioceses of *Bangor* and *St. David's*, above eighty priests were actually presented for *incontinence*." But what is this to the *boast* of a certain prelate recorded by Henricus Cornelius Agrippa—"De quo legimus gloriatum in convivio, habere se undecim millia sacerdotum concubinariorum, qui in singulos annos illi aurum pendent?"—The reason why the ruling powers encouraged *concubinage*, rather than *marriage*, was this, he tells us—"Quia ex concubinis proventus illis est amplior."

De Incertitudine  
et Vanitate  
Scientiarum,  
c. LXIV.

The *incontinent* clergy might fairly ascribe some part of their vicious habits to their ruling superiors, if in the *decretals* of Gratian (which, though nearly all surreptitious, are upheld in credit by the papacy) it be actually laid down, as is reported, on an alleged authority of a council at Toledo, "*Qui non habet uxorem, loco illius concubinam debet habere.*" D. 34. Ed. Paris, MDXIX. My edition, however, I must confess, reads, "*Ut unius—mulieris, aut uxoris, aut concubinæ sit conjunctione contentus.*"

have had their attention very frequently or forcibly directed to the support of *celibate-canons*. Either the clergy abroad were less *uxorious* than our insular ecclesiastics, or, being more in awe of papal edicts and anathemas, more effectually subdued their natural desires, in compliance with his holiness's will and pleasure. Certain it is, they gave very little trouble to the *local ordinaries* (as far at least as we can judge from the almost entire absence of canons directed to the point in the councils of Europe) on the score of *incontinency*. But in England the case was altogether different. The customs of the Greek church (originally introduced here by St. Paul or other apostolical missionary), in respect of clerical *marriage*, were never so completely eradicated as to admit, generally and without resistance, the opposite, unscriptural usages of the Latin church: and thence the necessity of the frequent repetition of canons enforcing *celibacy*, and the oft-recited admonitions to *deans rural* to apply them with the utmost rigour. See Suicer *in voce* Γάμος, and Beveridge *ad can. v. Apostol. in Pandect. Canon.* Vol. II. p. 18, on the *lawfulness of marriage* in the Greek clergy.

The earliest penalties inflicted on the clergy of England for *incontinency* may be seen in the *Penitential Canons* (supposed to have been compiled by Dunstan) published by Wilkins, under the title of *Canones editi sub Edgardo rege* — (A.D. DCCCCLX.) — *cann. xxx.—xxxI.* The punishments, subsequently, varied at the whim and caprice of the Pope and his partisans; but whatever they were, the *deans rural* (as soon as those officers were instituted) were generally concerned in their due enforcement.

CC. M. B. et H.  
Vol. I. p. 233.

*CC. M. B. et H.*  
Vol. I. p. 673.

Vol. II. p. 300.

Suspension and excommunication were frequent punishments of the guilty clergy. But, let their delinquencies be as heinous as they might, it was enacted by W. de Cantilupe, in his Worcester *Constitutions* (A.D. MCCXL.), and by the *Synodal Statutes* of Woodloke of Winchester (A.D. MCCCVIII.), that the churches were not to be suspended by the *Deans*, or superior ordinaries, from the celebration of divine service, while the delinquents themselves could be made amenable, for professional transgressions, in their proper goods and persons, by distraining and sequestration, by suspension and excommunication. Indeed, these enactments were of general interpretation, applicable to clerical misdemeanours of whatever kind, and not to *incontinency* alone. But if the *Deans* allowed any of their subject brethren, so suspended, or who had been a second time guilty of *incontinence*, after penance once accepted, again to officiate—refusing their holy calling without prohibition—then the officers themselves were to be suspended, *ipso facto*, by the Winton council. And lastly, if they commuted the quality and degree of penance enjoined, or varied it for the sake of extorting money from the guilty, more readily, by such iniquity, they were to restore twice the sum out of their own pockets, and to suffer other grave punishment.

But enough of clerical *celibacy* and its consequences—of the canons and constitutions for its support, and the penalties for its infraction. <sup>1</sup>The conduct of Cardinal

Matt. Paris, Lib.  
VII. p. 219.

(<sup>1</sup>) "*Cum igitur in concilio severissimè de uxoribus sacerdotum tractasset, summum scelus esse à meretricis latere*" ("so he called a priest's wife," says Ephraim Pagitt, *Christianographie*, P. IV. p. 59) "*corpus Christi*

John de Crema, the legatine advocate under Pope Honorius II. of the wickedness of marriage in the priesthood (for he came to England “with his bigness and bravery,” says Fuller, “to bluster the clergie out of their *wives*”), we are told, “not a little advantaged the reputation of *married* priests;” inasmuch as it proved, by a flagrant example in his own person, the unfitness of such *celibate-canons* to the condition of humanity. And “God being long provoked by the impurest services of *concubinage*, awakened Christian princes<sup>2</sup> and priests, into liberty, and holiness, and reformation.”

Matth. Paris,  
*Hist. Angl.*  
A.D. MCXXV.

*Church History.*  
Cent. XII. B. III.  
p. 23.

J. Taylor's *Rule*  
*of Conscience,*  
*Works,* V. XIV.  
p. 138.

*Christi faciendum surgere, cum eadem die corpus Christi consecisset, cum meretrice post vesperam interceptus est.*” “The great honour wherewith he was everywhere received,” subjoins the “parson of the church of Saint Edmond the King, in Lombard-street,” “was turned into great shame, and he stole home, through the judgment of God, confounded and ashamed.”

(<sup>2</sup>) King Henry I. having been petitioned by the bishops in council to support the canon of *celibacy* in ecclesiastics, instead of endeavouring to enforce with rigour a law so much at variance with the natural feelings of mankind, converted it into a fiscal advantage, and, “taking upon himself what may be called the popely privilege of selling indulgences,” granted to the clergy of the realm the society of their *wives* upon the payment of a certain composition and yearly tax—“*accepit enim rex pecuniam infinitam de presbyteris, et redemit eos,*” says Henry of Huntingdon;—the *Deans rural*, probably, continuing their wonted surveillance during the sale of these royal licences, so as to prevent any ecclesiastic availing himself of the indulgence unless he duly purchased it of the king's treasury by the payment of the established *wife-composition*. Upon some terms or other, it is certain, the priests were at this time in a state of *marriage*, and “so continued,” Mr. Pagitt affirms, “in the time of Archbishop Theobald, of Thomas Becket, Richard Baldwin, Stephen Langton, Richard, Edmond, Boniface, Peccham, and others, during well neare 200 yeares after Anselm's death.”

*Scriptores post*  
*Bedam,* p. 384.  
Dr. Brady's  
*History of Eng-*  
*land,* Henry I.  
p. 269. F.  
Southey's *Vin-*  
*dicie E. A.*  
p. 308.

*Christiano-*  
*graphie,* Part IV.  
p. 59.

## CHAPTER VI.

## SUPERVISION OF THE SPIRITUAL MINISTRATIONS OF THE CLERGY.

Dr. Field of the  
Church, B. v.  
p. 507.



N “the continuall circumspection of archpresbyters rural,” in the dean of Gloucester’s language, “in looking to the *life and conversation* of the presbyters, dwelling in the lesser titles,” we have said sufficient.—Our next extracts have to do with them as inspectors of the *spiritual ministrations* of their subject clergy: the observance of the *canonical hours* of public worship—compliance with the rubric of the day, in *preaching* and *prayer*—in the performance of the *special services* and *ordinances* of the church—in *processional rogation*, and such-like *rural ceremonies*. By attention to all which particulars of sacerdotal duty, the local prelates were enabled “to shew unto their diocefan with what diligence each of the presbyters performed the work of God”—a principal object of their delegate overseership.

*Ibidem.*

Bingham’s *Ec-  
clesiast. Antiq.*  
B. XIII. c. X.

The rural deans were to impress upon the parochial clergy the observance of *canonical hours*<sup>1</sup>;—which, besides

(<sup>1</sup>) See *Conc. Cloveshov.* can. xv. (A.D. DCCXLVII.); *CC. M. B. et H.* Vol. i. p. 97; *Excerpt. D. Ecgbert.* xxviii. (A.D. MCCL.) p. 103; *Cann. Aelfrici*, c. xix. (A.D. DCCCCXX.) p. 252; *Macri Hierolex.* in v. p. 312; Van Espen’s *Dissertatio Canonico-historica de Horis Canonicis*; Bingham’s *E. A.* loco citato; and particularly Palmer’s *Antiquities of the English Ritual*, Vol. i. pp. 202, seqq., a work which should be in the hands of every clergyman.



the *morning* and *evening* prayer, (otherwise called *matins* and *veppers*), were the *first*, the *third*, the *sixth*, and *ninth* hours, with the *completorium* or *bed-time*: or, as the times are divided by Mr. Whitaker according to modern acceptation, the *horæ canonicæ* were *three* and *six* in the *morning*, *nine*, *twelve*, and *three*, the *evening*, and *mid-night*<sup>1</sup>.

*History of Manchester*, Vol. II. p. 417.

Amongst the *irregular practices* of the clergy of his day, the non-observance of these *canonical hours*, in their church services, is noticed by Bishop Grosseteste, in a letter to the archdeacon of Lincoln (*Epist.* 107—before referred to) as deserving correction by his *decanal* and *apparitorial* ministers—" *Plurimi sacerdotes*," he writes, "*DEUM non timentes, nec homines reverentes, horas canonicas aut non dicunt, aut corruptè dicunt, et id quod dicunt, sine omni devotione aut devotionis signo, immò magis cum evidenti ostensione animi indevoti dicunt; nec horam observant in dicendo, quæ commodior sit parochianis ad audiendum divina, sed quæ eorum plùs consonat libidinose desiderii*" &c.—which things, the good prelate adds, ought not to escape the watchfulness of the archdeacon, ever presentially inspecting the manners of the clergy and laity by means of his *deans rural* and *apparitors*—" *prælia*

Brown's *Appendix ad Fascicul.* p. 382. *Opuscula Quædam R. Grosseteste Episc. Lincoln.*

(<sup>1</sup>) The church of England, at the revision of our offices in the reign of Edward the Sixth, only prescribed public worship in the *morning* and the *evening*; and in making this regulation she was perfectly justified: for though it is the duty of Christians to pray continually, yet the precise times and seasons of prayer, termed *canonical hours*, do not rest on any divine command; nor have they ever been pronounced binding on all churches by any general council: neither has there been any uniformity in the practice of the Christian church in this respect.

Palmer's *Origines Liturgicæ*, Vol. I. p. 204.

Brown's *Fasci-  
culus Rerum*,  
p. 427.

*domini fortiter præliantes, et inordinata prædicta et similia ad ordinem reducentes*<sup>1</sup>, &c."

The same *inattention* to the *appointed hours* of divine worship Cardinal Campegio accumulates on the catalogue of ecclesiastical abuses, which he purposed to reform in his Ratisbon *Constitution* (A.D. MDXXIV.),—arming ordinaries with power to punish such violations of discipline, according to the degree of guilt, either by diverting the received profits of the benefice from the delinquent's own use to that of the church or poor; or, in case of his obstinate perseverance in the same fault, of altogether depriving him of it. And this they were to effect by the instrumentality of their archdeacons and *deans rural*.—"Cum beneficia propter officia juxta patrum sanctiones dari consueverunt, fierique vix possit, ut in tantâ præbendorum catervâ non reperiatur, qui officii oblitus horas negligat canonicas: hinc statuentes volumus et ordinamus, ut locorum ordinarii per archidiaconos et decanos de hujusmodi sacerdotibus negligentibus, sese diligentè edoceant, et secundum uniuscujusque negligentiam atque desidiam fructus perceptos, vel in utilitatem ecclesiæ, vel in usum pauperum vertant. Quòd si post legitimas monitiones et simul primam correctionem, in eandem negligentiam, quæ dissolutæ prorsus mentis indicium est, quis relabatur, tum beneficio etiam

Mss. Registr.  
Sancti Osmund  
di fol. 40. penes  
Episc. Sarisbur.

(<sup>1</sup>) If the chanters of the cathedral church of Sarum were too often absent from these *horæ canonicæ*, or, in other words, from divine worship, the *Constitutions* of Bishop Osmund enacted, that they should seek pardon of the dean and chapter, *prostrating themselves* before them:—and if they did not amend under correction, they were to be degraded, and to submit to penance "*in choro ultimi puerorum secundum quantitatem delicti*."

*ecclesiastico privetur: collatorique vel patrono de alio idoneo providendi aut præsentandi sit potestas."*

Lastly, the synod of Antwerp (*A.D.* MDLXXVI.), under the head *de divino cultu*, has several injunctions respecting the observance of *horæ canonicæ*,—commanding the *deans rural* "*Ut diligenter inquirant contra negligentes, eosque ad episcopum deferant, maxime quos deprehendent celebrare non lectis horis:*" and at a later period (*A.D.* MDCX.), summarily decreeing—" *Beneficium simplex obtineus, habitum clericalem gestet, horas canonicas legat, oneribus missurum, et aliis si quæ incumbunt, satisfaciat; eorumque omnium legitimum testimonium . . . decano rurali exhibeat . . . alioquin fructus non faciat suos.*"

*Stat. Synod.  
Dioc. Antwerp.  
p. 235.*

*Decret. Synod.  
Dioc. Antwerp.  
Tit. XVIII. c. XXI.  
p. 334.*

To the non-observance of *horæ canonicæ* we may subjoin, from the fore-cited letter of "Seynt Roberd" of Lincoln, and other authorities of recenter times, a few *uncanonical practices*—deviations, it may be, from the various rubrics of the day—in respect of *preaching* and *confession*, pointed out to the correction of *deans rural*:—" *Sunt quidam rectores et vicarii et sacerdotes, qui non solum audire fastidiunt prædicatores fratrum utriusque ordinis, sed, sicut possunt, ne audiat eos populus prædicantes, aut eis confiteatur, malitiosè præpediunt: admittunt etiam, ut dicitur, prædicatores quæstuarios ad prædicandum, qui solum talia prædicent qualia nummum melius extrahunt,*" &c. Whereas, the bishop adds, he allows no *questuary preachers*<sup>1</sup>, but only the parochial ministers to open and explain the

*Brown's Fasci-  
culus Rerum in  
Append. p. 382.*

*Pegge's Life of  
Grosseteste.*

(<sup>1</sup>) "*Si aliquis de quæstuariis philaterias suas ostenderit populo, ad faciliùs extorquendam pecuniam, capiatur, et cum suis philateriis adducatur ad officialem, &c.*" (*Præcepta Decanis facta, A.D.* MCCXLV.)

*CC. Rotomag.  
Provinc. P. II.  
p. 79.*

service in few words:—and therefore he urges his archdeacon (“*per decanos et bedellos*”) to purify the temple of God of all such pollution, to induce the people to pay devout attention to the *licensed preachers*<sup>1</sup> of the orders of Friars, and to confess to them with all humility, to admit no *questuaries* to their pulpits, and lastly to prevent, as much as possible, all intercourse between Christians and Jews.

Such pastors as either cannot, or will not, *preach*, or, by their *preaching*, do more harm than good, within the diocese of Cambray, are presentable by *deans rural*; who are specially charged to see that the clergy of the province fulfil their duties of *preaching, administering the sacraments, &c. &c.* “*Decani Christianitatis*,” says the provincial council (A.D. MDLXXXVI.) “*referant episcopis aut eorum vicariis, si quos deprehenderint pastores, vel ob imperitiam, vel ob negligentiam à prædicatione verbi DEI abstinentes, et longè magis, si quos noverint, qui suis prædicationibus magis destruant quàm ædificent.*”——“*potif-*

*Decreta Concilii Provincial. Cameracenſis*, Tit. II. cap. VI. p. 8.

Tit. XIX. c. XII. p. 78.

Stillington's *Ecclesiastical Cases*, Vol. I. pp. 16, seqq.

(<sup>1</sup>) Compare with this Lincoln canon, the forty-ninth of our CC. *Eccles.* of MDCH. “*Ministers, not allowed preachers, may not expound.*” The *preaching* friars of Grosseteste's days were a sort of licensed preachers, who had no cure of souls, but were still accounted a kind of pastors—authorised “*jure communi*,” or rather “*privilegio speciali*,” to teach the people, not only in the churches but “*in plateis publicis*”—to the entire superseding of the parish priests; who are described in a provincial constitution of the reign of Edward I. as being “so ignorant and stupid that they rather made the people worse than better.” Bishop Grosseteste is said to have been a great friend of the *predicant* brethren of the extensive diocese of Lincoln.

These friars, it seems, were sometimes ordained as *chorëpiscopi* or *suffragans*. “*Frères*,” says a writer about A.D. MCCCLX, “ben made bishops, to go and preche and convert heathen men, and leave this ghostly office and be *suffragans* in England.”

*Objections of Frères*, c. XIX. M<sup>ss</sup>. Lewis's *Essay on Suffragan Bishops*, pp. 7, 8.



*simùm autem observent decani ut pastores in prædicatione verbi DEI, sacramentorumque administratione, ac in cæteris omnibus suo muneri satisfaciant."*

The *Synodal Instructions* of the province of Rouen contain a few useful precepts for the decent and regular administration of the *special services* of the church, addressed to *deans rural*—*ex. gr.* those delivered to the *deans in scriptis*, after the winter synod of the year MCCXLV.

—"Præcipiant decani presbyteris, ut ante statutum tempus ab ecclesiâ, maximè pecuniæ interventu non recipiant mulieres ad purificationem<sup>1</sup>, nisi de licentiâ officialis aut archidiaconi."

*Præcepta Decan-  
niſ Facta &c. ex  
CC. Rotomag.  
Province. P. II.  
p. 78.*

Again—"Ut mulieres desponsatæ non recipiantur ad missam eo die quo fuerint desponsatæ: sed secundâ, vel tertiâ die."

Again—"Quòd presbyteri diligentèr singulis diebus Dominicis denuntient in suis ecclesiis, secundum quod de novo est statutum in synodo, quòd per fidem datam per verba de futuro; nullatenùs audeant contrahere volentes sè carnaliter commiscere, donèc banna fuerint completa, ne appareat aliquis contradictor," &c. &c.

Again—"De sacramento matrimouii"—the synod of Tournay (*A. D.* MDLXXIV.) decrees, that, if both contracting parties be of the same *deanry*, they may be joined together in *wedlock* without a *decanal* licence,—on a proper declaration of the publication of banns by the

*Decreta Synodi  
Tornacensis, III.  
p. 18.*

(<sup>1</sup>) The mothers of illegitimate children having been improperly admitted to *purification* in the church, in the diocese of Bois-le-Duc, it is forbidden to all priests, by the synod of MDCCII, "*Sub pænâ suspensionis, quam eo ipso incurrant, mulieres, quæ ex illicito concubitu pepererunt, ad purificationem admittere, nisi facultate ab archiepiscopo loci ad hoc literariè obtentâ.*"

*Stat. Synodi  
Bucoducens,  
T. IV. c. II. p. 21.*



respective *parochi*, the one to the other;—but if the parties be of different *deanries*, the letter of the *dean* is required before the *marriage ceremony* can be performed by either *parochus*:—“*Si vero diversorum decanatum fuerint contrahentes*,” says the third canon on the sacrament of matrimony, “*non nisi receptis prius sui decani literis ad affidationem procedat parochus*.”

An irregularity in the sacrament of the *mass*—(the administration of two *masses* in one day)—is pointed at in the diocese of Gloucester as meet for presentment to the bishop by *deans rural*. — *Touchinge the clergie*, can. xiv., it is enacted by Cardinal Pole, or rather by his sub-delegate, the bishop of Gloucester, in his *Injunctions* to the diocese (A.D. MDLVI.); “That every *deane* shall signifie unto his ordinarie onfe every quarter, at the least, the names of suche priests as for lucre useth to say two *masses* in one daie, contrarie to the canons in that case provided.” And the like irregularity is forbidden by Gaspar Nemius to be any longer *licensed* in the diocese of Antwerp (A.D. MDCXLII.)—the *deans rural* being the publishers of the authoritative revocation of all licences, already granted to any of the parochial clergy, that might seem to countenance such *sacramental abuses*.

CC. M.B. et H.  
Vol. IV. p. 146.

Decreta Synod.  
Antwerp.  
A.D. MDCXLII.

SS. CC. Tom.  
XIX, col. 1394.

In the diocese of Cologne, we learn from the twenty-fifth canon of the second council (A.D. MDXLIX.)—“*De processionibus ruralibus (in quibus sacra hostia cum imaginibus sanctorum circumfertur)*”—that it was committed to *deans rural* to exhort the clergy “*per suas regiunculas*” to conduct these much abused *country processions* according

to the canon of the church:—“*Nec vagi et incompofiti per agros difcurrant, et præfertim Rogationum tempore, quandò DEUM pro mifericordiâ et frugum confervatione imploramus; transgredientes paflores aut ipfi in fynodis fuis corrigant aut vifitatoribus noftris indident*”—fays the cited ordinance:—which is again followed by others, enforcing on the clergy obedience to their deans in thefe and all lawful matters;—commanding the epifcopal vifitors not to allow difobedience to go unpunifhed;—and yet farther threatening all fecular magiftrates with excommunication, who fhould dare to obftruct the fpiritual police in the execution of their duty. See alfo *Decreta Synodalia Dom. Maximil. Hen. Arch. Colonienfis*, Tit. VI. *De proceffionibus* &c.

*Statuta Synodal.  
per Nicol. Epi-  
fcop. Harlem.  
A.D. MDLXIV.*

The “*Nova Præcepta*” of the archbifhop of Rouen (A.D. MCCLXXVIII.) charge the prefbyters, “*Ut quotièns dubium erit quandò aliqua jejunia vel proceffiones inftitutæ fieri debent, ficut in die Sancti Marci, recurrant ad decanum loci, et fine ejus confilio ea facere non præfumant.*”

*CC. Rotomag.  
Prov. P. II. p. 85.*

The council of Noyon (A.D. MCCCXLIV.) commands the local ordinaries to put an end to hiftrionic fports and idolatrous proceffions;—“*Joculatores five hiftriones de novo candelas cereas tanquàm res facras deferunt, et nituntur proceffionalitèr portare, populum ad ydolatriam inducendo* &c. *Quod nos de cætero fieri prohibemus.*”—The archbifhop of Malines bids the deans rural inquire at vifitation—“*An non irrepperint in ecclefias aliqua fupervitiofa et vana, in cæremoniis, proceffionibus, peregrinationibus, imaginum et reliquiarum ac fanctorum veneratione, quibus mentes Chriftianæ à fincero Dei cultu fensim dimoveri poffint.*”

*Conftitutiones  
Synodales Epi-  
fcopatus Attre-  
batenfis, Adden.  
(MCCCCLV.)*

*Decreta Synodi  
Camærac. fol. 3.  
c. II. A.D.  
MDLXVII.*

Bingham's *Ec-  
clesiast. Antiq.*  
B. XIII. c. I. § 12.

To the solemn service of Rogation<sup>1</sup>, *processions* were early added by the Western church; and, as circumstances required, were occasionally celebrated in the open field. It does not appear that at first there was any harm or superstition practised in these *processions*,—no pomp of relicks—no exposing of the eucharist to adoration;—in such solemnities the people only carried the crosses before them, as they did in some of their night-processions for psalmody, as the badge of their profession. Afterwards, many abuses were heaped upon the simplicity of *processional rogation*,—feastings with banners, hand-bells, lights, staying at crosses, &c. followed in the train of parochial *perambulation*; which, in the days of papal England, was annexed to the duties of the Rogation-week, and is still retained by the *Injunctions* of Queen Elizabeth (*A. D.* MDLIX).

But I do not find that any such revelries as those of

Gibson's *Codex  
I. E. A.* Tom. II.  
*Append.* § IV.  
p. 1447. II.  
*Monitio*, &c.

(<sup>1</sup>) It was customary heretofore for the inhabitants of parishes subject to a cathedral or other mother church to go *in procession* to the same at Pentecost, in token of subjection, with crosses, banners, oblations, &c. To this ancient usage of repairing to the *matrix ecclesia* of the *deanry* of Pageham at Whitfuntide, the archiepiscopal *monition* in the *Appendix*, addressed to the *dean*, rectors, vicars, chaplains, and inhabitants at large of the *deanry* of Pageham in Sussex, relates. See *Chichester Documents*.

*History of Not-  
tinghamshire*,  
p. 311.

Dr. Thoroton notices, that it was a custom sanctioned by Pope Alexander III. for the clergy and laity of the county of Nottingham to come, at the feast of Pentecost, to the church of Southwell, with *solemn procession*:—that a synod was there held; and that the *chrism* brought by the *deans* of the country from the church of York, was thence distributed through the other churches.

Hart's *Medulla  
Conciliorum*,  
p. 36.

In the *Inquisitions* of the archdeacon of Lincoln *A. D.* MCCXXII. it is inquired “30. *An alicubi levantur arietes, vel fiant scottali, vel decertetur in præeundo cum vexillo matricis ecclesiæ?*”

the dioceſe of Cologne above cited, though they occurred in an aggravated form in the Rogation-days of Archbishop Cuthbert, as early as *A.D.* DCCXLVII, and probably continued, more or leſs, in our infular *rural proceſſions* of a later date, are recorded as meet for *decanal* or archidiaconal correction in the councils of Great Britain. The abuſes<sup>1</sup> noticed by Biſhop Gibſon were the *uſual* ceremonies and abuſurdities of the day. See Van Eſpen *De Circumgeſtatione et Expoſitione Eucharistiæ*, *I. E. U.* Part. II. Tit. IV. cap. V.

*Conc. Cloveſhov.*  
*CC. M. B. et H.*  
Vol. I. p. 97.

(<sup>1</sup>) “Theſe *perambulations* (though of great uſe, in order to preſerve the bounds of pariſhes) were, in the times of popery,” ſays Gibſon, “accompanied with two great abuſes; viz. with feaſtings, and with ſuperſtition; being performed, in the nature of *proceſſions*, with banners, hand-bells, lights, ſtaying at croſſes, &c. And therefore, when *proceſſions* were forbidden, the uſeful and innocent part of *perambulations* was retained.” See Sparrow’s *Collection*, p. 68.

Gibſon’s *Codex*  
*I. E. A.* Tit IX.  
cap. XIII. Vol. I.  
p. 213.

## CHAPTER VII.

THE AUTHORITY OF **Deans Rural** IN SUPPORTING CHURCH-DISCIPLINE,  
AND SUPERVISING THE EXTERNALS OF RELIGION GENERALLY.



**T**HE *conversation* and *ministration* of the clergy finished, proceed we next to illustrate with a few selections from synodal institutes, at home and abroad, the authority and jurisdiction of our local ordinaries in supporting the *externals* of religion generally;—viz. in enforcing the *residence* of the parochial clergy *on their cures*,—in the *registration* of benefices and beneficiaries, of curates and curacies,—in the *rejection* of *unlicensed* ministers, the *sons of clergymen* and *illegitimates* (unless specially protected by papal dispensation) from all *office* and *benefice*,—in the *guardianship* of the *church's temporalities* during *vacancy* and *sequestration*,—in the *sustentation* of the *fabric* of the *church*, the *manse*, and all other *ecclesiastical buildings*,—in the due *keeping* of *church-yards*, and the *reconciliation* of the same when defecrated and prophaned,—in the  *blessing* and *baptizing of bells*,—in the *care* of *furniture* and *ornaments dedicated to divine worship*,—in the *distribution* of *chrism* and *oil*, and the general superintendence of all matters and things connected with *sacraments* and *sacramentals*, and particularly with *confession* and *penance*.

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## § 1.

## RESIDENCE OF THE PAROCHIAL CLERGY ON THEIR CURES.

Himself personally *resident* within his archipresbyterate, decanate, or plebanate, (for he could not be promoted to the spiritual headship of the district, unless he had an ecclesiastical benefice of some kind within it,) the archpriest, dean, or pleban, was bound to see that every incumbent *resided* on his benefice within the jurisdiction, and neglected not the fabric of his church, the duties of reading, preaching, and ministering therein, and the general care of the souls committed to his pastoral charge. All delinquents he was to present to the diocesan. The *Precepts* delivered (A.D. MCCXLV.) to the deans of the diocese of Rouen by the archbishop, enact—*Ut singuli decani dent nobis in scriptis nomina eorum qui non resident in ecclesiis, tam sacerdotum quam aliorum: item nomina ecclesiarum eorum qui non resident in ecclesiis suis &c.*” The *Synodal Statutes* of the bishop of Liege (A.D. MCCLXXXVII.) can. XXI. bid the deans—“*Quòd ipsi diligenter inquirant nomina et numerum ecclesiarum in quibus investiti personaliter non deserviunt, et nobis seu officiali nostro remittant.*” The council of Cologne (A.D. MCCC.), addressing the same officers, says—“*Vobis decanis Christianitatum committimus et mandamus quatenus nomina illorum qui in vestris decanatibus hujusmodi ecclesias occupant, et nomina pastorum non residentium personaliter, in scriptis nobis intra mensem post præsentem diem tradatis, ut hujusmodi negligentiam et defectum de prælatorum nostrorum consilio reformemus; et id ipsum in quâlibet synodo volumus observari,*” on pain of excommunication:—“the fittest and

*Const. Wigorn.*  
*CC. M. B. et H.*  
*Vol. I p. 571.*  
*A Humble Pro-*  
*posul &c. chap.*  
*XIII. p. 73.*

*CC. Rotomag.*  
*Prov. P. II. p. 79.*

*Thef. Anecd.*  
*Tom. IV. c. 859.*

*SS. CC. Tom.*  
*XIV. col. 1280.*

*A Humble Pro-  
posal* &c. chap.  
XIII. p. 73.

*Stat. Synod.  
Diœc. Audomar.*  
Tit. XVI. cap. III.  
p. 70.

Tit. XVII. c. III.  
p. 77.

*Statuta Synodal.  
Diœc. Antverp.*  
p. 233.

*Thef. Anecdôt.  
Tom. IV. col. 476.  
& col. 494.  
Conc. Rotomag.  
Prov. P. II.*  
p. 238.

col. 495.

*Decret. Synod.  
Diœc. Audomar.*  
Tit. XX. c. v.

surest means," observes the author of *Parochial Reformation*, in his annotation upon this canon, "to oblige men to their duty, and to *out* a drone from profaning his profession."

"*In hoc advigilent decani*," writes the fynod of Saint Omer (*A.D.* MDLXXXIII.—MDCXL.), "*ut pastores in prædicatione verbi DEI, sacramentorum administratione et in omni functione pastoralis officii sui, rectè diligentèrque versentur*;"—duties which pastors cannot by any means perform, unless *residentiary*:—wherefore the fynod decrees, that no pastor be *absent from his parochial charge* beyond five days, "*nisi de licentiâ sui decani in scriptis obtentâ*." And the fynod of Antwerp (*A.D.* MDLXXVI.) enacts, that no *ministering* pastor, registered as such, be *absent from his cure* for eight successive days, "*absque decani sui ruralis consensu*." See also *Decreta Synodi Diœces. Antverp.* (*A.D.* MDCX.) p. 336. and *Synod. Statuta Diœces. Yprenf.* (*A.D.* MDCXXIX.) Tit. I. p. 283.

Yet farther to enforce clerical *residence*, the seventy-ninth canon of the *Ancient Statutes* of the church of Autun, and the ninth of the *Synodal Statutes* of Bayeux (*A.D.* MCCC.), empower rural archpresbyters to seize the benefices of *non-resident* incumbents, and to hold the profits thereof during the bishop's pleasure;—non-compliance on the part of the officers being subsequently threatened with excommunication. By the former council, again, it is decreed, that if the churches of the different archpresbyterates within the diocese of Autun be not duly repaired, the archpriests shall sequester the emoluments thereof; and for their trouble in so doing, the fynods of Saint Omer (*A.D.* MDLXXXIII. and MDCXL.), grant them a fair remuneration—"justam mercedem."

But by the “*Injunctiones ad Decanos*” of the diocese of Rouen (*A.D.* MDVI.), it is very properly forbidden them to sequester without just reason—“*Ne sine causâ arrestent fructus beneficiorum sub pretextu reparationum minimè factarum, aut alterâ quâvis occasione: quod tamen facere eis injungitur habitâ causâ legitimâ.*”

*CC. Rotomag.  
Prov. P. II.  
p. 107.*

In cases of *non-residence* by licence of the bishop, the *facellani* of the see of Ghent were to exhibit to the rural archpriests their licences; and, at the same time, an attestation, with each licence, of the masses having been canonically performed, and the charges upon the benefices duly paid. The officiating curates, likewise, are annually to lay before these officers their letters of appointment, in order to their being transmitted to the bishop for renewal.

*Decret. Diocesis  
Gandavens.  
Tit. XVI. c. X. XI.  
p. 77. A.D. MDCL.*

The *residence* of deans rural in their deanries is not barely prescribed by the council of Rheims (*A.D.* MDLXIV.), but their active duties, as vigilant inspectors of the district clergy, in enforcing holiness of life, assiduity in their calling, attention to the repairs, and decent furniture of their churches, &c., are circumstantially detailed:—“*Quò meliùs omnia quæ ad archiepiscopatus nostri curam pertinent, rescire possint, et omnium clericorum negligentia et peccatis occurrere decani rurales in suâ assidui maneat ac vigilent speculâ, &c.* (Statut. XVIII.)—And again: “*Archidiaconi et decani rurales sæpè moneant clericos et potissimum curatos, piè vivere et orationibus inflare, hortarique gregem suum ad pœnitentiam et vitam emendandam, ac reparandas parochiales ecclesias, quas peccatis cleri et populi ita merentibus DEUS permittit pollui et devastari: sed in reparatione sollicitudo à curatis ipsis præsentibus adhibeatur, ut nihil inordinatum aut præposterè et tumultuariè accommodatum, nihil prophanum,*

*SS. CC. Tom.  
XX. col. 1298.*

*nihilque inhonestum appareat, cum domum DEI deceat sanctitudo.*"

SS. CC. Tom.  
XXI. col. 592.  
Van Elphen  
I. E. U. P. I.  
Tit. VI. cap. II.  
pp. 29, 30.

Lastly, the council of Malines (A.D. MDLXX.),—"De Decanis Christianitatum" &c. cap. II. writes on the same point:—"Cum eadem sit ratio de pastoribus et archipresbyteris, seu decanis ruralibus, qui et ipse pastores pastorum sunt, et eorum officium in observatione morum, tam pastorum, quam laicorum sui districtus consistat; statuit hæc synodus, ut sicuti pastores in suis parochialibus, ita omnes archipresbyteri, seu Christianitatum decani in suorum decanatum limitibus ad personalem residentiam compellantur."

CC. M. B. et H.  
Vol. IV. p. 146.

And, in our own country, Cardinal Pole, in his *Gloucester Injunctions* (A.D. MDLVI.), "Touchinge the Clergie," can. XIV. enacts, "That every deane shall signifie unto his ordinarie, onse every quarter, at the least, the names of all suche parsons, or vicars, as are *non-residente* upon their benefices" &c.

## § 2.

### REGISTRATION OF THE CLERGY, &c.

*Parochial Antiquities*, Vol. II.  
p. 361.

Bishop Kennett quotes the council of London (A.D. MCCCXLII.—meaning the *Constitutiones Provinciales* of Archbishop Stratford (CC. M. B. et H. Vol. II. p. 696.)—the *Extravagants* of the same prelate of Johnson's *Eccl. Laws* &c. MCCCXLII.—as authority for the statement of his *Parochial Antiquities*, Vol. II. p. 361, that "Rural deans were to keep a *register* of all priests and other clerks, who officiated within their jurisdiction; and were to take one penny, and no more, for inserting each



name in the said *regifter*.” The canon in question, however, does not mention *deans rural* as being employed in inferting the names of the mafs-priests or other officiating minifters (fuch, that is, in Johnfon’s glofs, as neither had *inftitution* nor *licence* to ferve the cure from the bifhops) in the *matricula*; and therefore, if the canon “*Ne inftituti in beneficiis, vel ad facros orlines promoti indebitè pro fuis literis prægraventur*,” extend to rural *deans*, as it *probably* may, they are included under the general title of *ordinaries*, and as fuch are bade to *regifter* the names of the particular priests alluded to, at their firft admiffion to celebrate divine offices, for the fum of one penny, and no more, on pain of fufpenfion.

CC. M. B. et II.  
Vol. II. p. 696.

See Bingham,  
O. E. B. v. c. v.  
s. 10. *Matricula*.

Whether underftood, or not, in the above conftitution rural *deans* were, undoubtedly, commiffioned by Archbishop Peckham to far more extenfive *regiftrarial duties* in the firft canon of his Reading council (A.D. MCCLXXIX.), “*De inftitutionibus et deftitutionibus*,” addreffed to his fuffragans:—“That we may have notice of benefices becoming vacant,” fays the archbifhop in Mr. Johnfon’s version of the canon, “we enjoin and command you, my deareft brethren, in virtue of obedience, that by yourfelves, your officials, archdeacons, or *deans*<sup>1</sup>, ye caufe to be *written down* the names and numbers of churches, and rectors, with their names and firlnames; fo that a *true account* may be had of the perfons, and the time of their collations, by what title they hold them, whether by inftitution or commendam, of what age the

*Ejusd.* p. 33.

Johnfon’s  
*Eccl. Laws*,  
MCCLXXIX.

(<sup>1</sup>) See the *Instructions* to the *deans rural* of the diocefe of Litchfield and Coventry (A.D. MCCLVI.—MCCLVII.), *fede vacante*,—*Annales Monaf. Burton.* p. 370.—(EDITOR.)



*Paroch. Antiq.*  
Vol. II. p. 361.

rectors, who are incumbents thereof, in what order; whether beneficed in more than one church; whether dispensed with for plurality; who are their patrons, and what their names; of what value every church is, according to the *Norwich Taxation*:—and let the bishop of every diocese transmit *instruments* clearly stating all these particulars to us in the city of London on the octaves of Saint Hilary, &c. &c.” The object of which inquest, according to Bishop Kennett, was to prevent litigious suits for the title of benefices; and it was performed, he says, by *deans rural*, in the character of officials of the bishop.

*Decret. Synod.*  
*Diœc. Audomar.*  
Tit. XX. c. II.  
p. 96. c. III. p. 97.

On the continent, at a much later date, the like duty of *registration* of benefices and beneficiaries was imposed on our ecclesiastical officers by the *Decreta* of the synods of Saint Omer (*A. D. MDLXXXIII.—MDCXL.*)—“*Habeant decani registrum omnium beneficiorum sui districtus cum curâ et sine curâ ascriptis nominibus possessorum et ubi habitent: cum specificatione bonorum, reddituum, sylvarum, pratorum, terrarum, et limitum ac terminorum, et onerum annexorum quotannis exhibendum. Ejus verò registri copiam authenticam ad nos mittant in episcopatus archivis reservandam.*” The beneficiaries were obliged to render accurate and minute accounts of their benefices, countersigned by the local magistrates, to the *deans*; and the latter again to the bishop. To which purport all persons, who were inducted into church-livings, took an oath at the time of their induction: and, if they did not fulfil their pledge within a year, they were liable to be cited before the bishop’s court, and punished for perjury; the profits of the benefice being, at the same time, put under sequestration.

Lastly—The deans rural of the diocese of Rouen are charged in the *Synodal Mandates* of the year MDCXLVII, “*Ut singuli omnium capellarum suorum decanatum titulos, qualitatem, statum, valorem, et onera, unà cum titularium et patronorum nominibus, in tabulis accuratè describant, earumque exempla intra proximam synodum apud acta Cancellariæ Archiepiscopalis perferant, aut transmittant,*” &c.

*SS. Rotomag.  
Prov. P. II.  
p. 143. can. II.*

### § 3.

#### PROHIBITION OF UNLICENSED MINISTERS.

The dean's duties, let me add, ceased not with enforcing the *residence* of the duly-instituted clergy, and *registering* them and other officiating ministers in the public *matri-cula* of the deanry: he was also to support the *prohibitions* of the church against *unlicensed* and *vagrant* ministers, and not to allow them to celebrate within the limits of his authority.

“*Ne aliquis decanus presbyteros extra diœcesim Leodiensem ab alienis quibuscunque episcopis ordinatos permittant in suis decanatibus celebrare, nisi per literas nostras eis ostenderint ipsos super hoc licentiatos, et tunc eos licentie concessæ terminos excedere non permittant.*” (Can. XXII.)

*Theaur. Anecd.  
Tom. IV. col. 859.*

Again—“*Sacellanus nullus admittatur,*” writes the synod of Saint Omer (A.D. MDLXXXIII.—MDCXL.), “*nisi à nobis probatus et admissus. Is etiam literas admissionis à nobis factæ decano districtus illius exhibeat, qui eas vidisse se, et examinasse scripto testabitur: nec nisi ejusmodi decani scripto viso, et professione fidei emissâ, præsumant pastores eum recipere.*”

*Decret. Synodi  
Diœc. Audomar.  
Tit. XVIII. c. III.  
p. 86.*

*Decret. Synodal.  
Arch. Colon.  
Tit. v. c. v.  
(A.D. MDCLXII.)*

Again—" *Summo studio advigilent decani rurales ne quis sacerdos &c. in beneficium aliquod parochiale, seu curatum, vel exercitium curæ animarum . . . sefe intrudat, absque prævio examine, et legitimâ approbatione:*"—and if any such unexamined and unapproved priest dared to intrude himself by force, he was to be made over to the secular power.

*Statut. Synodi  
Brugensis, p. 18.  
A.D. MDLXXI.*

If the clergy allowed any of the religious, within the diocese of Bruges, to *preach*, or *hear confession*, without first exhibiting their *letters of licence* before the local **deans of Christianity**, they incurred a fine of **xii libræ** for every such offence.

Chap. XIII. p. 73.

"All *vain and wandering* priests," writes the nameless author of *A Humble Proposal for Parochial Reformation by Rural Deans and Chapters*, "whose sins made them incapable of staying long in any place, through their great expences and little deserts," ("*utpote apostatæ, discursores, et vagi de aliis provinciis,*" &c.) "were to be taken and examined by the **dean**, if they came within his **deanry**, both concerning their *orders*, and the reason of their *vagrancy*, that they might be returned to the places of their charge, or deposed according to the canons."

*See also Decret.  
Synod. Colon.  
Tit. v. cap. VI.  
(A.D. MDCLXII.)*

Such interference took place on the authority of the council of Cologne (A.D. mccc.); which farther adds, that these clerical *wanderers* might be admitted to the performance of ministerial functions, on the **dean's** being satisfied of the authenticity of their letters of orders, and their general fitness—" *tunc demùm admittantur tales, cùm in his inventi fuerint idonei &c.*" (Can. III.)—But if they were found, on examination, to be without *testimonials*, from their own bishop, of being canonically

ordained and lawfully dismissed<sup>1</sup> from their past cures, they were inadmissible to any church, or duty of the priesthood. Whoever ventured to employ any such person, merely "*dicentem se presbyterum*," as a curate or chaplain, incurred the penalty of excommunication; unless he again discharged him within six days after notice duly served upon him by the dean. The synod of Constance (*A.D.* MCCCCLXXXI.), in a canon expressly directed "*contra presbyteros se facientes promoveri absque litteris dimissoriis*," goes yet farther, and sanctions, by its authority, the actual imprisonment of such daring offenders against church-discipline.

*CC. Rotomag.  
Prov. P. II.  
pp. 570, 571.  
Synod. Constant.*

At a later date, the council of Augsburg (*A.D.* MDXLVIII.) authorises deans rural to cite before them all such suspected characters at their rural chapters, to demand the formal exhibition *in court* of their *letters of orders*, and their title to the ecclesiastical benefice to which they laid claim; and then to report thereon to the diocesan.

*SS. CC. Tom.  
XIX. col. 1302.*

The collected *Statutes* of the diocese of Avranches (*A.D.* MDL.), charge the deans—" *Ut presbyteros peregrinos ad celebrandum nullatenus admitti sinant, nisi post lapsum octo dierum doceant de suis litteris: minus verò ad confessiones audiendas recipiant. Usum confessionalium nisi ab officiariis nostris probatorum minimè admittant, et utentes denuncient. Si quem sciverint injusto titulo alicujus beneficii fructibus gaudere, confessionem revelent, &c.*" To the like

*SS. Rotomag.  
Prov. P. II.  
p. 290.  
Synodi Abrin-  
censes.*

(<sup>1</sup>) See a form of "*Litteræ Dimissoriæ concessæ clerico cupienti se ab una diocesi in aliam transferre*," in Gibson's Appendix, *Cod. I. E. A.* Tom. II. § III. p. 1443. XIV.

*Decreta Antiq.  
Synod. Camerac.*  
pp. 110, 111.

purpose speaks the synod of Cambray of the same year, in the canon, "*De non habentibus curam animarum*<sup>1</sup>."

#### § 4.

##### PROHIBITION OF ILLEGITIMATES UNPROTECTED BY PAPAL DISPENSATION.

It being contrary to the canon law that the *sons of clergymen*, or *illegitimates*, should succeed to ecclesiastical benefices without the special permission of the see of Rome, or to whom the Pope granted the power of dispensing with "*irregularitas ex defectu natalitum*," as it was denominated by the canonists—we find the following precept to *deans rural* of the diocese of Liege in the *Synodal Statutes* of that see (A.D. MCCLXXXVII.)—"Præcipimus decanis ruralibus, quod in suis decanatibus inquirent utrum aliqui filii sacerdotum vel illegitimè nati obtinent aliqua

Van Espen  
*I.E.U.* P. II.  
T. X. c. III.  
p. 362.

Martene, *Thef.*  
Tom. IV. c. 858.

*SS. Rotomag.*  
*Prov.* P. II.  
p. 130.

(<sup>1</sup>) The following mandates appear in the Rouen Provincial Synods; and are here admitted, as bearing upon this part of decanal duties:—

II. "*Mandata missionum pro temporibus adventûs et quadragesimæ disjunctim dabuntur; et archipresbyteri seu decani rurales necnon rectores ecclesiarum parochialium prohibentur admittere quemlibet concionatorem temporibus quadragesimæ, nisi ad hunc effectum secum ferat mandatum particulare, quo constet rationem villicationis suæ pro adventu sedis archiepiscopali reddidisse.*" (*Mandata Arch. Rotomag. &c.* MDCXXXVIII.)

IV. "*Archipresbyteri seu decani rurales providebunt ne quis concionator quadragesimæ temporibus recipiatur, qui non promiserit sese ibidem per octavas sacrosancti sacramenti, et assumptionis beatissimæ Mariæ Virginis, in honorem voti regii et consecrationis regni, verbum DEI prædicaturum. Laici autem votis nostris per opera caritatis obsecundare non recusent.*"



*beneficia ecclesiastica sine dispensatione sedis apostolicæ: quos si invenerint, nuncient patronis beneficiorum, quod ipsa beneficia conferant personis idoneis, et nomina talium superiori suo sub pœnâ excommunicationis remittant.”* Can. XII.

This law applied to “*illegitimè nati*,” both *laical* and *clerical*: and, the learned Thomassin thinks, no difference was made in reference to the latter, whether born in or out of wedlock, as long as they were “*in sacerdotio geniti*.” *Extra. de filiis presbyt. c. xiv.* Loop-holes, however, there were, by which to escape this irregularity<sup>1</sup> “*ex defectu natalitum*.”—see a form of dispensation “*pro illegitimè nato, ut possit obtinere dignitatem aut beneficium*,” in Gibbon’s *Appendix*, Tom. II. p. 1340. § III. Art. IV.

In a canon of instructions to archdeacons and deans rural of the fore-mentioned diocese of Liege, the attention

can. XVI.

(<sup>1</sup>) This *natal* or *natalitious defect* does not appear to have been an insurmountable bar to promotion in our own see, though the instances of such *irregularity* were numerous. There was no limit to the papal power of dispensation in adjusting these disqualifications and putting matters to rights;—as the following anecdote proves, respecting the election of Richard Bingham to the vacant see of Sarum. Forty-one canons and prebendaries were present at the preliminary meeting, by themselves or proctors; being authorised to proceed to the election of one of their body to fill the vacant episcopal throne. But of this number, there were some, says the register, “*qui non poterant eligi, eo quod non essent de legitimo matrimonio, utpote decanus ejusdem ecclesiæ, et quidam alii. Aliqui tamen eorum dicebant se esse munitos super hoc per indulgentiam apostolicam, velut mag. W. de Merton, archidiaconus Berkfr. mag. de Chabbeham, subdecanus Sarum, quorum uterque protulit indulgentiam apostolicam, cum tali tamen adjectione: ‘Ita tamen quod si ad episcopatum vocatus fueris, illum sine licentiâ nostrâ speciali nullo modo recipias.’ . . . . Alii verò confitebantur defectum natalium suorum, nullam penitus habentes super hoc indulgentiam.*” These indulgences, it is noticed, were all of the pontificate of Gregory IX.

Actus Revis.  
trum Sancti  
Osmundi. penes  
Episcop. Sarum.

Stillingsfleet's  
*Ecclef. Cases*,  
Vol. I. p. 358.  
Johnson's *An-  
cient & Present  
Church of Eng-  
land*, P. I. c. IX.  
p. 76. c. x. p. 107.

of these officers is particularly directed to a second irregularity, which incapacitated a clergyman for holding a benefice; namely, where he was the son of the immediately preceding incumbent:—"Nullus filius sacerdotis obtineat beneficium," says the canon referred to, "*in quo pater suus immediatè deservivit.*" Such a clerk was *illegitimized* by the canon law of Western Europe; but not in England. Though the rule was entered in our provincial constitutions — (see *CC. M. B. et H.* Vol. I. p. 474. *A.D. MCLXXIII.*), still it is generally held, the bishop of Worcester says, that it was *never* received here; and therefore we find no instructions to *deans* rural on the subject, in the councils of Great Britain and Ireland<sup>1</sup>. *Basildy*, however, without dispensation, was always a just objection to a presented clerk. See *Thomassin V. et N. E. D.* Tom. II. P. II. L. I. c. LXXXIV. p. 251. vi. seqq.

(<sup>1</sup>) There were two reasons for the law "*Ne filius succedat patri:*" one was, to discourage the marriage of priests (see *Const. Dom. Othon. innotuit*); the other, that benefices should not become hereditary. (See *Const. Peckham. A. B. Prov. L. I. Tit. VIII.*) "They are certainly mistaken," says Mr. Johnson, "who suppose that all the children of clergymen, in times of popery, were *illegitimate*, and would have this to be the reason of the canon. A priest might have children before he entered into any orders; that is, while he was ostiary, acolyth, or exorcist." See Mr. Whitaker's *History of Manchester*, Vol. II. B. II. c. XII. § II. p. 460.

Vetus Registrum  
Sancti Edmundi,  
fol. 105.  
*Presbyteri et  
Diaconi uxorati.*

In the *Inquisitio de terrâ de Wokingham per Adam de Ivelcestre*, (*A.D. MCCXV.—MCCXXV.*), *Decanum Sarum*, there are several examples of priests and deacons, fathers and sons, being married and holding benefices successively within the diocese of Salisbury.

## § 5.

GUARDIANSHIP OF THE TEMPORALITIES OF THE CHURCH DURING  
VACANCY AND SEQUESTRATION.

As the legitimate *guardians* of the church's *temporalities* in country districts, it has been incidentally shewn, in a former part of these notes, that *deans rural* (there called *archpresbyters*) were canonically commissioned, as early as the ninth century, to the *conservation* of the property of the *vacant tituli* of their *archpresbyterates*. True indeed it is, that, in the canon referred to, their honesty in the office of collecting ecclesiastical fruits is more than questionable;—they are charged with the appropriation of the produce and revenue of other churches to their own use;—an iniquitous breach of trust condemned by the Pavian council (*A.D.* DCCCLV.)—*“Tollenda est prava omnino consuetudo, quæ in nonnullis locis oriri cæpit: quia nonnulli archipresbyteri, vel aliorum titulorum custodes, fruges, vel aliarum ecclesiarum redditus, ad proprias domos abducunt &c.”*—insinuating, with too much seeming truth, that such abduction looked more like robbery, than protection of church property.

But whatever lack of honest stewardship our Pavian officers may have shewn in the cases reprobated by the cited council, it was usual, there and elsewhere, upon the *vacancy* of any church, for the *deans* to have the *custody* of it; that is, says Mr. Somner in special relation to our *infular church-usages*, “to collect the fruits, and get the cure supplied, in the name and stead of the archdeacon, during the church's widowhood: and to that end the *dean* had the church-door key delivered to him; which, upon his induction of the new incumbent, to put him

See Part III.  
§ I. p. 114.

Thomasin. V. et  
N.E.D. Tom. I.  
P. I. l. II. c. v.  
p. 226.

Antiquities of  
Canterbury,  
Part I. p. 176.

in possession of the church, he used to deliver again to him, according to the manner of giving corporal possession, in those elder times observed."

*Parochial Antiquities*, Vol. II. p. 361.

*Ideaux on Churchwardens*, pp. 173, seqq. 9th edit.

*CC. M. B. et H.* Vol. I. p. 675.

Not only did they gather the fruits of the *vacant* benefice in trust for the future incumbent, but they also took care that the glebe lands were seasonably tilled, and sown to the best advantage;—(duties now performed by churchwardens)—looking for recompence to him in whose behalf they acted as *trustees* and *guardians* of the benefice, viz. the future incumbent:—"Terræ ecclesiarum vacantium incultæ non jaceant, sed per decanum loci excolantur, ab eo, qui fructus receperit, sumptibus refundendis, vel pro parte fructuum tradantur aliis excolendæ. Decani, qui circa hoc negligentes extiterint, puniantur."—To which Worcester constitution "*De terris defunctorum incultis*" (*A.D.* MCCXL.)—the fifty-first of the synod of Exeter (*A.D.* MCCLXXXVII.) adds,—If the dean and future incumbent cannot agree on the point of remuneration, any dispute thereupon shall be settled by the ordinary.

Vol. II. pp. 158.

In the province of Rouen, it was customary for the dean of the district to accompany the farmer of the *vacant* benefice, and conjointly with him inspect its condition at the commencement of the term of his laytenancy; so that the farmer might be obliged to give it up in the same condition at the expiration of his term:—"Cum vacabit aliqua ecclesia," the synod of Constance (*A.D.* MCCCLXXV.) enacts, "*accedant ad locum decani cum firmario, et videant in quo statu ecclesiam suscipiet firmarius, ut ita æquè bono statu in fine termini sui eam dimittere teneatur*:"—a very judicious law in case of litigated right of presentation, or where a benefice is necessarily,

*CC. Rotomag. Prov.* P. II. p. 565.  
*Synod. Constantinenses.*

from any cause whatever, long *vacant*, and liable to deterioration from laical mismanagement.

In some diocefes, heretofore, it was ufual for the entire profits of *vacant* benefices to accrue to the bishops. In others, the diocefans had certain referved rights, which were managed and accounted for by the *local ordinaries*, the *deans* rural, as *custodes* of the church's *temporalities* during *vacancy*.

In the diocefe of Melun (*A.D.* mcci.) it was decided by Innocent III. in perfon (during a long-pending conteft on the appointment of *deans* rural—whether vefted *de jure* in the bifhop alone, or in the bifhop and archdeacon—and decided by the Pope in favour of the bifhop,) that “*per decanos rurales succurfus debeat ecclefiarum vacantium procurari*,”—the bifhop receiving two parts of the crops, oblations, &c. as his *succurfus* (fecours) or *deportus*, and the archdeacon one part, during *vacancy*.

In the extenfive diocefe of Poitiers, the archdeacons and archpriests were allowed by the fynod of *A.D.* mcllxxx, their portions, entitled *quarentenæ*, out of the produce of *vacant* benefices—that is, the *fortieth* part of the income of each;—the whole of the refidue being paid to the bifhop, as his *deportus*<sup>1</sup>. If they detained more than their lawful fhare, even though the fee were vacant, they were to refund it within a month:—and the fame protection of epifcopal rights extended to the

*Ex Chart. Eccl. Meldens in App. ad Theodor. Pœnit. p. 721. See Carpentier Append. ad Ducang. Glossar. in voce.*

*Thomassin. V. et N. E. D. Tom. III. P. III. L. II. c. XXXVII. p. 395. iv. See Ducang. Gloss. T. II. col. 772. in v. deportus.*

(<sup>1</sup>) “*Si contigerit deportus nostros seu rectores vel curatos, ecclesias ad firmam laicis tradere; nullo modo permittant decani dictos laicos se intromittere de iis quæ pertinent altari, aut stare juxta illud pro oblationibus recipiendis, sed omnia spiritualia, quæcumque sint, per presbyteros idoneos, à nobis approbatos, disponentur honestè.*”

*CC. Rotomag. Prov. P. II. p. 565. Synod. Constantiens, A.D. MCCCLXXV.*



goods of intestate beneficiaries:—" *Monemus archidiaconos et archipresbyteros, ut quidquid de proventibus ecclesiarum et aliorum beneficiorum vacantium, curam habentium animarum annexam, ultra quarentenas suas, sede vacante, perceperint, et alios qui de prædictis aliquid habuerint: necnòd omnes illos, qui de bonis sacerdotum et clericorum beneficiorum intestatorum aliquid habuerint, sede vacante, nobis vel mandato nostro restituant infra mensem.*"

*Glossar.* Tom. II.  
col. 742.

*Thef. Anecd.*  
Tom. IV. c. 860.

In their capacity of church-guardians, it was committed to the *deans* by the Liege statutes (*A.D.* MCCLXXXVII.), to make inquisition "*de ecclesiis defalcatis*"—that is, according to Ducange, of churches, the revenues of which had been seized on plea of debt. The *deans* were to prosecute their inquiries, and report to the bishop, "*Quòd ecclesiæ sunt defalcatae, et per quos et in quibus: et nos omnes defalcationes ecclesiarum minùs legitimè factas revocamus, et præcipimus sub pœnâ excommunicationis omnibus qui bona ecclesiarum habent per defalcationem minùs legitimè factam, quòd ea ecclesiis à quibus sunt defalcata restituant &c. &c.*"

*Const. Synodal.*  
*Episcopatus*  
*Attrebatensis,*  
*A.D.* MCCCCLV.

The persons and goods of clergymen being exempt from seizure "*per laicalem justitiam*," within the diocese of Arras, the *deans* were authorised, by a constitution of that see (*A.D.* MCCCCLV.), to interfere for their immediate liberation and restitution, on pain of excommunication. Nay more—if the freedom of an arrested clerk, whether for debt or other civil offence, was not immediately ceded to the *dean* rural on application, the council of Compeigne enacted (*A.D.* MCCI.), that divine service should be suspended in the parish of his capture, or present detention, and continue so suspended, until such time as he was restored to full liberty, at the place where

he was first illegally arrested. Again—by the council of De Senlis (*A.D. MCCCXVII.*) it was decreed, that if any temporal lords, or their servants, violated the church's property by spoliation, or unjust occupation, their man-sions should be excluded from the church's protection, and the occupiers deprived of all spiritual ministrations, till full atonement was made:—to which things, the *deans*, as defenders of ecclesiastical privileges and property, within their jurisdictions, were bound to attend by the general responsibility attached to their office and station.

In England, the benefices of the clergy being liable to *sequestration*, on other occasions than *vacancy*, one of the most frequent causes of this procedure being enforced against a beneficiary was, and is, insolvency.

It was not uncommon, of old, for the mandate issued from the episcopal court, upon the king's writ to satisfy the debts of an incumbent, to be consigned for execution to the *dean rural*;—there being, till the middle of the fourteenth century, no lay-guardians, or church-wardens, established among us, to fulfil that duty.—Thus, White Kennett relates, that the rector of Ambrofdon (*A.D. MCCCXVII.*) being indebted to Peter Cofin, merchant, in the sum of fifty-seven pounds, and, upon prosecution at law, being found to have no temporals to satisfy the said debt, a precept was directed to the bishop of Lincoln to *sequester* his benefice on default of payment. The bishop directed his orders to the official of the archdeacon of Oxford, and the official to the rural *dean* of Burcester, to execute the said precept.

Indeed, it appears, that the whole of the ministerial

*Parochial Anti-  
quities*, Vol. I.  
p. 537. *Ex MS.  
Bibl. Bodl.  
Digby*, 154.

department of *sequestration*<sup>1</sup>,—whether, during the *vacation* of a benefice, for the supply of the cure, the management of the profits, and sustentation of the church buildings,—or, during incumbency, for enforcing *necessary repairs*, (in case of non-compliance, on the part of the beneficiary, after due admonition to amend defects)—or, *pendente lite*, in instances of disputed title,—or for *neglect of serving the cure* after institution and induction,—or for *debts*, or any other cause,—was consigned of old to *deans rural* in England. Nor does it appear that the Belgian ecclesiastics of the same name and title were less concerned with the *sequestration* of benefices at a later period.

*Stat. Synodi  
Diecef. Ypresf.  
Tit. vii. cap. ix.*

The synod of Ypres (*A.D.* MDLXXVII.), touching upon some of the specified reasons of sequestration, decrees:—  
*“Si defunctorum ædificia non invenientur in debitâ reparatione conservata, aut defuncti deceſſerint multo ære alieno gravati, curare debent decani, ut mobilia relicta statim sequeſtrentur; inhibendo per edictum publicum è ſuggeſtu, et, ſi neceſſe fuerit, cum aſſiſtentiâ brachii ſecularis, ne qui debitores quidquam ſolvant hæredibus defunctorum abſque cauſe cognitione et noſtro conſenſu; ut hæc viâ tùm ædificia reſtaurentur, tùm etiam creditoribus defunctorum abſque difficultate poſſit ſatiſfieri.”*

*Statuti Synodi  
Tornacenſis,  
pp. 56, 57.*

Again—*“Si beneficia poſſidentes ſuorum beneficiorum onera perſolvere neglexerint,”* ſays the ſynod of Tournay (*A.D.* MDLXXIV.), *“fructus omnes beneficiorum hujusmodi per decanum arreſtentur, donèc de prædictorum onerum perſolutione conſtiterit.”*

*Mss. Addenda,  
Paroch. Antiq.  
Vol. II. p. 351.*

(<sup>1</sup>) *“Decanus in ſuo de cetero decanatu ſit ſine quâvis injuſtâ ſevitiâ ſequeſtrator, &c.”* *Ex regiſtr. W. Wickwane Ebor.*

*“Bona etiam ecclesiarum, seu beneficiorum per mortem vel resignationem aut aliàs vacantium, sed et litigiosorum, ac aliorum quorum possessores residentiam non faciunt, exceptis privilegiatis, qui de privilegio tempore debito fidem habere tenentur, imò eorum quæ rectores ob excommunicationis sententiam, vel commissum delictum administrare non possunt, omniumque presbyterorum illegitimorum et aliorum ab intestato decedentium, simili arresto subijcimus, Decanis nostris seriò injungentes, quatenùs nomine nostro hujusmodi beneficiis, de fructibus eorundem, in divinis laudabiliter deservire faciant, nec priùs manum ab arresto levent, quàm sciverint &c. . . . quempiam idem beneficium pacificè possidere, &c.”*

And, that the Decans might be remunerated for the labours *“quos ecclesiæ, pastoribus, et domibus eorum mortuariis circa præmissa impendunt,”* it is farther enacted by the synod of Ypres (*A.D. MDLXXVII.*), that they shall receive, according to ancient usage, *“à domo mortuariâ cujusque pastoris optimum inter relictâ mobilia pignus”*—a custom both just and reasonable in the estimation of the synod, and therefore renewed and confirmed, both by it and by the subsequent one of *MDCIX.*—*“Decani enim,”* says the latter, *“et viventibus et morientibus omnibus pastoribus ex æquo invigilant.”*

To enable Decans rural readily, and without molestation, to fulfil the office of *sequestrators* of church property, for whatsoever cause alienated *pro tempore*, and to convert it to the objects of the *sequestration*, the following wary canon passed the church of Ossory in Ireland *A.D. MCCCXX.* (*can. IX.*)—*“Districtiùs inhibendo prohibemus, ne aliquis rector, vicarius, procurator eorum, nec firmarius ecclesiarum decimas seu fructus ecclesiasticos extra solum ecclesiæ in laicum feodum colligere, deponere,*

*Stat. Ypresf.*  
*cap. X. supra.*

*Tit. XVIII. c. X.*

*CC. M. B. et H.*  
*Vol. II. p. 503.*



*si solum habent ecclesiasticum, nec collect. in grosso vendere, quominus loci ordinarii possint fructus sufficientes invenire sequestrandos, si necesse fuerit, pro sustentatione deservingentium in iisdem in obsequiis divinis, et omnibus eis incumben-  
tibus inde levand. transferre præsumat quovismodo, sub pœnâ excommunicationis majoris &c.”*

With the regulation of *sequestrations*, and other matters connected with *vacant* benefices, in the islands of Jersey and Guernsey, rural deans have still much concernment. The twenty-fourth and twenty-fifth canons of the *Constitutions Ecclesiastical* thus speak:—“*En cas de vacance d'aucun bénéfice, soit par mort ou autrement, le doyen donnera ordre présentement que les fruits d'iceluy bénéfice soient séquestrés, et que du provenu d'iceux la cure soit supplée ; et aussy que la veuve ou héritiers du déffunct reçoivent selon la proportion du temps de son service, suivant à l'usage de l'isle, sauf ce qui seroit nécessaire à déduire pour les delapidations, s'il y en a ; et donnera terme convenable à la veuve du déffunct de se pourvoir de domicile ; et bail-  
lera ce qui sera de résidu au prochain incumbant, auquel le séquestrataire en rendra compte.”* (25th)—“*Sur la mesme occasion de vacance d'aucun bénéfice, si dans six mois le gouverneur ne présente aucun au révérend père en Dieu l'évesque de Winchestre, ou en cas de vacance de ce siège, au très-révérend père en Dieu l'archevesque de Canterbury, pour estre admis et institué audit bénéfice, alors le doyen certifiera du temps de la vacance aux dits seigneurs évesque ou archevesque, selon qu'il escherra, à ce qu'ils ordonnent pour la collation du bénéfice : et lors qu'aucun leur sera présenté, le doyen donnera attestation du comport et suffisance de la partie, pour estre approuvé par iceux, devant que d'estre admis actuellement par le doyen en possession du dit*

*Cæsarea by  
Falle & Morant,  
Appendix. No. X.  
pp. 207, 208.*



*bénéfice*.” In the commission of the Dean of Guernsey the same powers are conveyed. See “*the Commission of the Dean*,” in Berry’s *Guernsey*, p. 263; and Winchester *Documents*, Appendix.

But with *sequestrations*, here in England, rural archpriests have no longer any thing to do. “The canon lawyers,” says Bishop White Kennett, “soon deprived the country deans of this as well as all other parts of jurisdiction. For the chancellors of the bishop, or the archdeacons, laid claim to the custody of *vacant* churches, and, by forms of *sequestration*, assigned them over to the *œconomi*, or lay-guardians of the church.” And yet it were much to be wished, for the good of the church, that, on all such occasions, the rural dean of the district, aided by a neighbouring incumbent, were restored to his ancient capacity of inspecting and managing, as a trustee, the profits of a *sequestered* benefice, and of supplying or providing for the cure; and thereby “the *damage* as well as *ineasiness* too often occasioned to the clergy by the neglect, unfaithfulness, or obstinacy of churchwardens” (in Gibson’s words), were remedied.

Whether it is competent to the bishops to effect this most desirable transfer of duties, without the authority of Parliament or Convocation, I am unable to pronounce; but the Convocation of mccc. would have so restored him. It was proposed as meet for consideration, “whether rural deans should not be first nominated in *sequestrations*, and in all other commissions to be issued from the bishop or ecclesiastical court relating to any persons or matters within their respective districts.” The suggestion, unfortunately, was never brought to bear on the office: the whole measure turned out abortive.

*Parochial Antiquities*, Vol. II.  
p. 362.

*Codex I. E. A.*  
Tom. I. Tit.  
XXXII. cap. II.  
p. 749.

*CC. M. B. et H.*  
Vol. IV. p. 641.

## § 6.

CARE OF ECCLESIASTICAL EDIFICES—CHURCH—MANSE—CHURCH-YARD  
—CHURCH-UTENSILS, GOODS, AND ORNAMENTS—SACRAMENTS AND  
SACRAMENTALS.

One of the most useful branches of office belonging to the Dean of Christianity—though not of equal antiquity with some already stated in relation to persons—is that pertaining to *the care and examination of the material fabric of the church and ecclesiastical buildings generally*, in order to their being properly supported by the parties liable to their sustentation;—of which much has been already said in *Part IV. S. II. and S. v.*

Bishop Marli's  
*Visitation*  
*Charge*, July  
MDCCCXXIII.  
p. 19.

The *personal visitation* of these structures attaches primarily to the episcopal office<sup>1</sup>. But, as a minute inspection of them and their contents is not only laborious, but almost impracticable to the diocesan of an extensive diocese *in person*, it is more usual, and generally more advisable, to delegate the duty to others—to archdeacons and rural deans. To the former however, it must be allowed, the business of *parochial visitation* in detail is often nearly as difficult as to the bishop: whence it has come to pass, that, by devolution, in some dioceses (in many, archdeacons do *visit parochially*), it has fallen to the deans; who are so distributed through

(<sup>1</sup>) Considering how greatly the discipline of the church is defeated by *exemptions* from episcopal visitation and jurisdiction generally; and what irregularities are committed in places protected by them (of which a glaring example is afforded, I regret to say, in my own deanry, and noticed in *Part IV. S. II. p. 203. note 1); it would be well for the church, the law projected by the *Reformatio Legum Ecclesiasticarum* were to be ratified and put in execution. The title is, "*Privilegia locorum exemptorum moderanda*;" and the suggested remedy is this:—"Quoniam libertates*

the archdeaconries, as to be able to perform the duty, vicariously for their superiors, with the best possible effect, and the least possible trouble<sup>1</sup>.

*libertates et immunitates ecclesiasticas\* licentiosam videmus sæpenumerò afferre peccandi securitatem; volumus, ut episcopis liceat in omnia collegia, societates, et cætus, quæ quidem in eorum diocæsisbus confliterint, quantumcunque privilegiis præmuniantur, inspectare, pœnasque peccatis illorum assignare, non solum communibus visitationum, sed omnibus aliis temporibus, cùm magnitudo criminum postulabit, et eandem archiepiscopus in suâ provinciâ potestatem habebit."*

Bishop Seth Ward contemplated a bill to unite and subject peculiar and exempt jurisdictions to the diocese wherein they existed. See *MS.* of Ward copied for Abp. Sharp by Mr. Nash, nephew of Dr. Woodward, Dean of Sarum, *penes* the Bishop of Salisbury.

With regard to the particular case alluded to within the Deanry of Chalke, I am happy to say, since the note above referred to was written, that a curate has been appointed by the Roman-Catholic patron and ordinary of the place, at the earnest solicitation of the rural dean, and the parish church has been re-opened (DEO GRATIAS!) for divine service, *Jan.* MDCCCXXXV. It has been since much enlarged and beautified by private subscription and grants of Church-Building Societies, *Sept.* MDCCCXLIII.

(<sup>1</sup>) The *Reformatio Legum Eccles.* continues the visitational capacity of archdeacons, and makes archpresbyters rural accountable to them in respect of dilapidations &c. "*Archidiaconus annis singulis bis, aut ad minimum semel archidiaconatum suum perlustrabit. Archipresbyteros, et*

*De Ecclesiâ et Ministris ejus, &c. cap. VI.*

\* To shew that our ecclesiastical-law reformers did not overrate the evils of exemption, I subjoin an extract from Bishop Seth Ward's *Notitia* of the diocese of Sarum, touching the place above alluded to—"Locus est famosus propter matrimonia clandestina &c. in contumeliam ecclesiæ, et familiarum ruinam!" and I add in corroboration, that the oldest parish register belonging to this unfortunate place (from MDCLIV. to MDCLVIII.—and from MDCLXXXVI. to MDCCXLIV.) was offered for sale in an adjoining market-town in MDCCXCIX, and is now in the possession (fortunately) of Sir R. C. Hoare of Stourhead. "Ill as this register has been kept," says the historian, "it is much superior to the other (commencing MDCCLI.), than which nothing can be more disgraceful to the curates of this parish.

*Notitiæ Sethi Episcopi Sarum. MS.*

*Hoare's Hist. of Wiltshire, Dunworth, p. 64.*

CC. M. B. et H.  
Vol. I. p. 547.

Many and exprefs are the canons entrusting thefe delegate powers to Deans rural. Some have been already incidentally cited under *visitation duties*; and others will be found in the *Appendix of Documents*. A few are here fubjoined. The Meath *Constitutions* of Simon Rochfort (A.D. MCCXVI.) enact, “iv. . . . *Ut archipresbyteri quotannis, et sæpius, si opus fuerit, personaliter visitent statum et conditionem omnium ecclesiarum infra suos decanatus; et si quâ ecclesia reparatione indigeat, hortentur gregem dominicum ad earum reparationem &c. . . . videant etiam an domus pastorum et capellanorum sint factæ tectæ &c.*”

Oughton's *Formular*. Vol. II.  
See Appendix,

“*Cum sit consonum juri,*” says Oliver Sutton, bishop of Lincoln (A.D. MCCXCII.), in a *monition* addressed to the Dean rural of Hoyland in that diocese, “*ut parochiani locorum, ad reparationem seu constructionem ecclesiarum, nolentes contribuere, suâ sponte, ad id per censuram ecclesiasticam, ratione præviâ, compellantur; vobis firmiter injungendo mandamus, quatenus parochianos ecclesiæ de Malton ad refectionem seu constructionem campanilis ecclesiæ ejusdem, faciatis contribuere, prout decet: contradicentes et rebelles censurâ hujusmodi canonicè compellentes.*”

The synod of Constance in Normandy (A.D. MCCCLXXV.) admonishes all beneficiaries to have their houses and dwellings repaired, on pain of sequestration—and the Deans to visit and report to the synod:—“*Omnes eccle-*

*et inferiores reliquos ministros omnes non solum suorum admonabit officiorum, sed rationem etiam ab eis repetet, et de templorum ac ædificiorum ruinis, et de thesauri pauperum distributione, et de bonorum ecclesiæ vel accessione vel decessione. Quod autem in his rebus, sive in illis quæ ad archipresbyteri explorationem referuntur peccatum erit, per censuras ecclesiasticas corrigetur.*”



*fasticæ personæ beneficia obtinentes, domos et habitationes suorum beneficiorum secundum eorum facultates faciant reparari, sub poenâ sequestrationis suorum beneficiorum. Et quòd decani quilibet in suo decanatu dictas domos visitent, et nobis referant infra synodum."*

SS. Rotomag.  
Prov. P. II.  
p. 565.  
Synodi Constant.  
A.D. MCCCCLXXV.

Our cardinal-bishop of Sarum (Campegio) specially directs the attention of deans rural to the same points of restoring and sustaining church-houses, subject to the same penalties, on the part of the beneficiaries, for non-compliance. The injunction appears in his "*Constitutio ad removendos abusos*," (A.D. MDXXIV.) Nor are the synods of Malines, about the same date, backward in inculcating the like inspectionary duties, with even stronger threats on past and future neglect.

Fasciculus Re-  
rum, p. 425.

Van Espen  
I. E. U. P. II.  
Tit. XXXIV.  
cap. VIII. p. 674.

The synod of Cambray (A.D. MDL.) charges the deans to see to the due reparation and sustentation of all church edifices; and enacts, that, if it should happen, that "*Propter negligentiam decanorum Christianitatis, qui eas tenentur visitare, domos curatorum et capellanorum pejorari, decani, ob quorum defectum hoc accidet, et eorum beneficia teneantur dictas domos relevare, vel reparari facere, suis propriis sumptibus et expensis.*"

Decreta Anti-  
qua Synodi  
Cameracensis,  
p. 109. See also  
Statuta Synodi  
Brugensis (A.D.  
MDLXXI.), pp.  
19, 20.

"*Ubi domus pastoralis est*," says the synod of Saint Omer (A.D. MDLXXXIII.), "*non liceat pastori sine expresso consensu nostro, aliam inhabitare: eam autem domum debitè ab ipso reparari et sartam tectam conservari præcipimus, nisi reparationes illias ab aliis fieri debere certò constet. Atque in hoc advigilabunt sedulò decani aliique visitatores, ne, quod contigisse alicubi deprehendimus, paulatim per incuriam pastorum domus illæ deteriorentur, immò corruant, cum magno interdum successorum præjudicio. Si quos negligentes deprehenderit, nobis denuntiabunt, ut nos ipsi eorum*

Decreta Synodi  
Dioc. Audomar.  
Tit. XVII.  
cap. XVIII.  
p. 32. (A.D.  
MDLXXXIII.  
MDCXI.)

See Van Espen  
I. E. U. P. II.  
Tit. XXXIV.  
c. VIII. p. 674.



*sumptibus eam reparationem fieri curemus, et pro præteritâ negligentia puniamus."*

*Decreta Synodi  
Tornacensis,  
p. 56.*

The synod of Tournay (*A.D.* MDLXXIV.), "*De decanis Christianitatis et eorum officio*," cap. XII. orders, "*Si domos, aliaque ad ecclesias spectantia ædificia, rectores collabi permiserint, per decanos de bonis arrestatis hujusmodi ædificia reparentur, alioquin ob commissam negligentiam propriis eorum expensis id ipsum fiat:*" and further instructs<sup>1</sup> the deans of Christianity in the proper method of raising funds for restoring the churches of their deanries, in case the same have actually become dilapidated—the titheholder being bound to rebuild the choir at his own cost, and the parishioners at large (by a collection *capitalem*) the nave. Cap. XIII.

*SS. CC. Tom.  
XXI. col. 462.*

The council of Milan (*A.D.* MDLXXIX.) *capacitates foraneas* bickers, or deans, to inquire—"Qui singularum ecclesiarum, præsertim parochialium status, an si quæ instaurationem desiderant; an debito cultu fraudantur, &c."

*Decreta et Statuta Synod.  
Mechlin. p. 169.*

The synod of Malines (*A.D.* MDCVII.) authorises the deans to order immediate repairs, at their annual *visitationes*; and bids them denounce disobedient beneficiaries to the diocesan, or his vicar-general.

*Stat. Synod.  
Dioc. Yprenf.  
Tit. XX. c. XXVIII.*

The synod of Ypres (*A.D.* MDCIX.) enacts, "*Pastores de reparandis et reficiendis suis domibus pastoralibus maxime sint solliciti: referantque ad nos decani in suis visitationibus, qui eâ in re negligentes aut inobedientes fuerint.*"

*CC. Rotomag.  
Prov. P. II.  
p. 130.*

(<sup>1</sup>) In case of new chapels being erected in their deanries, the arch-presbyters rural were under an obligation, in the diocese of Rouen (*A.D.* MDCXXXVIII.), to exhibit the contracts of endowment and foundation, in order that copies might be deposited in the office of the archbishop's secretary, and the originals preserved among the archives of the diocese.

That of Bois-le-duc (*A.D.* MDCXII.) bids the archpriests of the diocefe inquire, at their *visitations*, “*Utrum ecclesiæ reparatione egeant, et cæmeteria benè occlusa sint.*”

*Stat. Synod. Buscod. Tit. xv. cap. iv. p. 85.*

Religion being deeply interested in the *preservation* and *decent condition* of *ecclesiastical edifices*—such essential aids to its outward manifestation in the world—such allectives to divine worship, and so indispensable to parochial incumbency—no wonder, the *most recent* instructions to *deans* rural in England and Ireland, as well as the *most ancient*, invariably include *all church-buildings* as objects of annual, or occasional, visitation and examination—equally those consecrated to the service of God, and those dedicated to the inhabitancy of his minister. Nor are the *cemeteries of the dead* overlooked, either in our insular documents, or in those of continental churches.

*See Appendix of Ancient and Modern Documents.*

The *deans* are to take care that the *churchyards* are well and sufficiently maintained with walls, pales, or hedges, and that they are kept in a decent and befitting manner, neither defecrated by cattle, nor violated by other profane intrusion. The same strict injunctions apply, in a higher degree, to churches.

By the synod of Arras (*A.D.* MCCCCLV.) the *deans* are bade to allow no *tavern-keeping* nor *wine-selling* in church-houses, on pain of excommunication, and a fine of ten pounds:—“*Ne in domibus ecclesiarum tabernas vel vinum venale teneant; sub pœnâ excommunicationis, et decem librarum Parisiensium:*” and by an *inhibition* of Bishop Dalberby of Lincoln (*A.D.* MCCCIX.—MCCCXIV.), they are charged to forbid all *judicial proceedings*, *fair-holding*, *marketing*, &c. within the churches of that diocefe. Specially, also, does Oliver Sutton enjoin the *dean* of Hoyland, by name, (*A.D.* MCCXCII.) to forbid the laity

*Conjt. Synodal. Episcopatus Attrebatenfis, A.D. MCCCCLV.*

*Oughton's Formular. Vol. II. p. 293.*

collecting their rents in such holy places. See *Lincoln Documents, Appendix, N<sup>o</sup>. v. and vi.*—But to return to churchyards.

Oughton's *Formular.* Vol. II.

P. 291.

*Appendix, Lincoln Documents,*  
No. I.

The deans rural of the latter extensive diocese had their attention particularly directed to the *profanation of churchyards* in the latter end of the thirteenth and beginning of the fourteenth centuries, by the same bishops—Sutton and Dalberby. Several *mandates* to that effect, from Oughton's *Formulary*, are transcribed into my *Appendix of Instruments*. Of which, one is addressed to the fore-named dean of Hoyland (A.D. MCCXCI.), stating, that many abuses, requiring immediate reformation, had come to Bishop Oliver's ears during his last visitation of that deanry: among which, in particular, the *violation of parochial cemeteries* by the rectors', vicars', or other cattle, is noticed—"Cœmeteria ecclesiarum parochialium, per pecora rectorum &c. turpiter maculari; sine per defectum clausuræ, sine per quorundam negligentiam, &c. &c." And the mandate, in conclusion, bids the dean inflict condign canonical punishment for all such trespasses and infringements of the immunity of sacred places.—A second mandate, addressed to the dean of Christianity of Lincoln (A.D. MCCXCIV.), complains of the like profanation, "*tum per pecora, cum per ejecta et effusa à domibus circumhabitantium;*" and bids that officer, "*quid per murationem, quid per aliam clausuram decentem,*" to provide a suitable and immediate remedy.—See more in the *Appendix*.

P. 292.

*Appendix, Lincoln Documents,*  
No. IV.

*SS. Rotomag. Prov. P. II.*  
p. 516.  
*Synod. Lexov.*

Upon the same subject, the synods of the province of Rouen legislate in plain and positive terms; and so also those of Belgium. But it is unnecessary to multiply quotations. Let it suffice, that to other objects of deanal

supervision, the synods referred to, almost everywhere, add the *cemeteries* of the faithful—"that the *walls of churchyards* be of a proper height, or, at least, that the quickset *hedges* (*hayes de vive plante*) be of sufficient strength and altitude to prevent the intrusion of cattle within the consecrated limits." See also *Synod. Bufco-duc*. Tit. xxii. c. vi. A.D. MDCXII.

The modern *Instructions* to *Deans* rural should *always* include the fencing and due keeping of churchyards. There is too much cause for directing attention to their condition. In many dioceses, the writer regrets to observe, the *cemeteries of the dead* do not receive the respectful protection they are entitled to from the living. In country villages they are too often carelessly or wilfully profaned by the incumbent's or by alien cattle. The paltry consideration of the surface-pasturage seems to extinguish those higher and better feelings, which the last resting-place of the rural peasantry—the *κοιμητήριον*, wherein "the rude forefathers of the hamlet sleep," should excite:—feelings which should lead to a decent conservation at least, if not adornment, of the field of burial. In Denmark, I have been told, a trifling sum is paid annually to the *Curator* of the burial-ground, to see that the graves of those "gone before" be not forgotten.

The incumbent, let his rights be what they may over the fward, should not exact them by profanation of the soil. The churchwardens should not wink at such unbecoming unholy practices by mercenary tenants. The rural *Dean*, who authoritatively visits "in order to reform what is amiss," should not forget, that "a *cemetery*" is "holy ground," "a place of religion," "a field of God sown with the seeds of the resurrection," and conse-

Jeremy Taylor's  
*Holy Dying*,  
§ viii. *Works* by  
Heber, Vol. iv.  
p. 567.



Secker's *Fifth Charge*, p. 182.

*Stat. Synod. Dioc. Audom.*  
p. 72.

*Decreta Diocesis Gandavensis.*  
Tit. XVI. c. X.  
p. 77.  
*CC. R. P.* p. 456.  
*Statuta Synod. Dioc. Ypres.*  
Tit. VII. c. VI.  
*Stat. Synod. Dioc. Brugen.*  
(*A.D.* MDLXXI.)  
p. 27.

quently that it ought not to be defecrated to the profane uses of ordinary pasture-land. On the contrary, he should point out to the clergy, or others, whom it may concern, in the strong language of Archbishop Secker, "the duty of keeping the *churchyards* neat and decent, not turning in cattle to defile them and trample down the gravestones, and make consecrated ground such as they would not suffer courts before their own doors to be; but taking the profits of the herbage in such manner, as may rather add beauty to the place." See Archdeacon Goddard's *Charge*, MDCCCXXVI. pp. 32, seqq.

The synod of Saint Omer (*A.D.* MDLXXXIII.) makes it a part of the office of the Deans of Christianity to *blefs new bells*<sup>1</sup>—"novas campanas benedicere:"—"quâ in functione," the canon subjoins, "caveant paternos aut maternas qui nomina campanis imponant invitare, aut permittere, sed id tantum faciant quod in manuali præscribitur."

The duty of consecrating new bells is also imposed on rural archpriests in the diocese of Ghent (*A.D.* MDCL.), and of Seez (*A.D.* MDCLXXXV). In that of Ypres (*A.D.* MDLXXVII.) they have the same service to perform in regard to *bells*; and, in addition, they have to *reconcile churchyards*, which had been, by episcopal declaration,

(1) This exceedingly absurd ceremony is said by Brand to have been first practised by Pope John XIII. (*A.D.* DCCCCLXVIII.). The Roman *Pontificale* presents us with the *ritual* for it. It had not ceased, it seems, to excite attention in the French Court at the close of the last century. It is said in a Journal of the day (Sept. 22, MDCCCLXXXII.): "The lovers of ecclesiastical solemnities are running in crowds to the church of St. Sulpitius, to see the ceremony of *christening the new bells* of that parish. The *godfathers* and *godmothers* of the first are the King and Queen, who have sent their proxies; of the second, Monsieur and Madame in person; &c. &c."



*desecrated and profaned:—“Decanorum officium est, novas campanas benedicere, cœmeteria post declarationem à nobis factam, quòd profanata sunt reconciliare, &c.”*—and to suspend *unconsecrated* altars and cemeteries<sup>1</sup>.

By the council of Augsburg (*A.D.* MDXLVIII.) the *deans* of the country are charged to take care that no *images* be erected for the adoration of the faithful, unless first approved of by the bishop or his vicar-general; and they are to search out all *heretical books*, or such as are justly *suspected of favouring heresy*, and to present them to the bishop.

By the synod of Ypres (*A.D.* MDCXXIX.) neither *images, seats, epitaphs*, nor *inscriptions* are to be erected within any of the rural *deanries* of that diocese, without the special approval of the *dean of Christianity*. Nor are any representations of new and unwonted objects to be depicted for future erection, in any church, without their prototypes having been first exhibited to the *dean of Christianity*;—whose criterion of approbation and admission (according to the synod of Antwerp, *A.D.* MDCX.) is to be derived from the canons of Molanus *de sacris imaginibus*. And, farther, it is decreed by the same synod, that all irreparably mutilated and decayed *images*

Thomassin. *V. et N. E. D.* Tom. I. p. 228.

Stat. Synod. Diœc. Ypresf. cap. XIV.

Decret. Synod. Diœc. Antwerp. p. 325.

(<sup>1</sup>) We have occasionally noticed, in earlier pages of our *Collectanea*, points of resemblance in the *chorepiscopal* and *decanal* functions. Others may be here pointed out; in which the bishops *in partibus infidelium*, as they obtained in England before the Reformation, resembled the *deans rural* of the opposite continent. The prelates in question *blest altars, chalices, vestments, &c.* They *baptized, blest, and consecrated bells*. They *suspended profane and unconsecrated places*, and *reconciled polluted churches and churchyards*. They granted *indulgences* for a few days, &c. &c. All which offices were exercised by *deans rural*.

Strype's *Life of Crammer*, p. 62. Pegge's *Letter to Ducarel*, p. 24.

*Decret. Synod.  
Diac. Antwerp.  
p. 326.*

are to be removed from the people's gaze, by the archpriests of the country. See also *CC. Rotomag. Provinc.* P. II. p. 456.

See *Præcepta  
Decani*, in the  
*Appendix*, P. I.  
S. I. § 3.

The internal *decency* of the edifice in which the public offices of religion are performed, in point of *repairs*, *cleanliness*, and all accommodations of *books*, *vessels*, *vestments*, and other things required for divine worship, was a part of the *dean rural's* trust in France as far back as the days of Hincmar, and still remains so there and in Great Britain, by consignment of the diocesan; who cannot, as we have already said, perform these minute investigations, either personally, or by his archdeacon, so conveniently and effectually as by his local official representative, the *dean rural*.

*CC. M. B. et H.  
Vol. I. p. 547.*

The Meath canons of de Rochfort (*A.D. MCCXVI.*) command the then newly-instituted archpriests to return a faithful account to the episcopal synod, "*De statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et suppellectilium in ecclesiis infra suos decanatus, ut de iis reficiendis, quoties expedit, statuatur*<sup>1</sup>."

The council of Cologne (*A.D. MCCCX.*) invests *deans* and *plebans* with a power of examining the necessary *books* and *furniture* of their subject churches—of ordering such articles as are wanting, to be supplied within a month,

*CC. M. B. et H.  
Tom. II. p. 179.*

(<sup>1</sup>) The following *synodal constitution* of Sodor and Man (*A.D. 1291*) should be generally adopted in archidiaconal and *decanal* visitations of churches.—"*Habeat etiam archidiaconus omnia ornamenta ecclesiarum in scriptis redacta, et utensilia earum, vestes et libros, et singulis annis suo conspectui ea faciat præsentari, ut videat, quæ adjecta fuerint per diligentiam parochianorum, vel quæ medio tempore per negligentiam vel malitiam vicariorum deperdita, vel per incuriam eorum aliquo modo diminuta; quid per clericos, quid per laicos.*"

after admonition given — and of proceeding, even to excommunication, against refractory and disobedient church-reeves and parishioners:—Can. xvii. *Decani itēm et plebani examinent libros et ornamenta necessaria ad divina cultum in ecclesiis sibi subjectis: et ubi necesse fuerit, per conservatores dictæ ecclesiæ, et parochianos, intra mensem post admonitionem eorundem, suppleri faciant; in rebelles, excommunicationis sententiam promulgando.*

The synod of Cambray (A.D. MDLXVII.) charges the archpriests rural, “*Ut quàm diligentissimè advigilent, ne quid in ecclesiis desit, quod ad divinum officium pro suâ dignitate peragendum requiritur.*” And farther bids them to inform the bishop of any superstitious vanities that may have crept into the forms and ceremonies of divine worship, whereby the minds of Christians may possibly be seduced from the pure service of God.

The council of Milan (A.D. MDLXXIX.) capacitates the foraneous vicars, or deans of the archbishop, to inquire, “*An debito cultu fraudantur ecclesiæ; an sacris vestibus, ornamentis, supellectileque ecclesiasticâ, ad cultum necessariâ, instructæ sunt; an denique ullâ ex parte incultæ.*” (See Parochial Visitation, Part iv. S. II.)

Articles of church-furniture being committed to the custody of the deans of the country by the Harlem statutes (A.D. MDLXIV.), the officers are charged, as guardians thereof, to see that the same are not pawned to common usurers, under any plea of necessity: and they are forbidden so to dispose of church-goods themselves, except upon mature examination and conviction of the propriety of the measure, on pain of excommunication.

In the diocese of Antwerp, again, if any materials, once consecrated to holy purposes in church edifices,

SS. CC. Tom.  
XIV. col. 1424.  
See also Instruc-  
tio Decanor.  
Ecclesiæ Mel-  
densis, Appendix,  
P. I. S. I. § 2.

Decreta Synod.  
Carnac. fol. 3.  
c. I.

SS. CC. Tom.  
XXI. col. 462.

Statut. Synodal.  
per Nicol. Episc.  
Harlem, A.D.  
MDLXIV.

Decreta Synodi  
Dioc. Antwerp.  
p. 379.

were afterwards defecrated by being applied to alien and improper uses, in profane dwellings, they were to be redeemed, at the joint appreciation of the dean rural, the pastor, and heads of the parish.

CC. Rotomag.  
Provinc. P. II.  
p. 290.  
Synodi Abrin-  
censes.

By the thirty-ninth statute of the synod of Avranches (A.D. MDL.)—on the duty of deans rural—it is enacted—*“Cum templum aliquod sui decanatus primum ingredientur decani, altaria perlustrant; quæ nisi rectè ornata fuerint et composita, aut sordidis onerata quisquillis conspiciantur, quæ peragendis sacris magis obfunt quàm prosint: continuò referant nostro promotori.”*

Decreta Synod.  
Prov. Aquensis,  
p. 123.

By the provincial synod of Acqui (A.D. MDLXXXV.), the foraneous vicars or deans of Alexander Canigian are instructed to inquire—*“An ea, quæ in missæ sacrificio adhibentur, uti calices, corporalia, purificatoria, mappæve altaris pura mundave, ac decentia sint. An baptisterium, et sacrorum oleorum vasa, tutò ac decentè afferventur. An libros habeant baptizatorum, chrismatorum, conjugatorum, et mortuorum, et hos separatos, et decentes,”* &c.

Stat. Synod.  
Bucod. Tit. XV.  
cap. IV. p. 85.

By the synod of Bois-le-duc (A.D. MDCXII.) the arch-priests rural are bade not omit the particular examination of *sacramentals* and *church-ornaments* of all kinds.

Decret. Synod.  
Arch. Colon.  
(A.D. MDCLXII.)  
p. 58. and 109.

In the diocese of Cologne, the parochial pastors are charged to shew their *baptismal* and *matrimonial registers* to the deans rural, at the times of their visiting; and the latter are diligently to examine the same.

CC. Rotomag.  
Provinc. P. II.  
p. 253.

In the diocese of Bayeux (A.D. MDCLXII.) the deans are made *conservators* of these important instruments:—it is ordered—*“Que dans chaque paroisse il soit tenu registre des baptêmes, mariages, et inhumations, suivant l'ordonnance: et lors qu'un curé viendra à décéder, ils se saisiront desdits registres, et autres titres et écritures concer-*



*nans la curé, et les droits du curé.* . . . . . “*Pour les mettre*” (adds a fynod of Lifieux) “*ensuite aux mains du nouveau curé, qui en prendra possession.*”

CC. Rotomag.  
Provinc. P. II.  
p. 515.

The fynod of Malines (A.D. MDLXX.) extends their care to all original *documents, muniments, &c.*, relating to benefices; which they are to see duly deposited in places of safe custody.

Decret. et Statut.  
Synod. Mechlin.  
p. 71.

But touching, more particularly, the connexion of *deans rural* with *sacraments* and *sacramentals*; with which they were early concerned in the churches of Normandy;—the third canon of the council of Rouen (A.D. MLXXII.) gives them the distribution of *chrism* (a mixture of oil and balsam for baptism &c.) and *oil* (for extreme unction):—“*Chriftmatis et olei distributio à decanis summa diligentia et honestate fiat: ita ut interim dum distribuerrint, albis sint induti: et talibus vasculis distribuatur, ut nihil inde aliquâ negligentia pereat.*” And the same is continued to them by a subsequent fynod of Liege (A.D. MCCLXXXVII.) can. XVII.

SS. CC. Tom.  
XII. col. 220.  
Conc. Rotomag.  
Prov. P. I. p. 55.

Stat. Synod.  
Leodiens.  
SS. CC. Tom.  
xiv. col. 137.

With the like *sacramental trust* the *deans rural* were, heretofore, concerned in Great Britain, while *chrism* and *oil* continued to be supplied from the mother to the daughter churches—probably till the time of the Reformation. The rule was invariable, I believe, in the country, for the villages of each *deanry* to be supplied from the towns or *metrocomiæ*, or, at least, the minor places from the major; and the latter, again, from the episcopal city. Many notices of this usage occur in the ancient register of Saint Osmund of Sarum, before and after the removal of the see from Old to New Sarum. The *deans*, in all likelihood, as soon as they were instituted in this diocese, received *chrism* and *oil* at the diocesan church or

Rectus Registr.  
Sancti Osmun-  
di, penes Episc.  
Sarum.



Thornton's *Hist.*  
of Nottingham,  
p. 311.

cathedral of Sarum, and re-distributed them in the *matrices ecclesiæ* of their respective *decanates*; though, at the early date alluded to, they are not mentioned as exercising that trust amongst ourselves. In the county of Nottingham, it is well known, the *deans* of the country received *chrism* and *oil* for the use of the clergy of their *deanries* at the *mother church* of Southwell; to which place the *sacramental articles* were previously brought from the minster at York.

By the council of Saumur (*A.D.* MCCLIII.), the *deans* shared with the archdeacons and archpriests the entire care of *sacramental implements*. The same having been much neglected in certain parts of the archdiocese of Tours, the second and third canons of this synod commit to the recited functionaries and *deans rural* ("*ad quorum officium dignoscitur pertinere*")—"Ut procurent sanctuarium, fontes, oleum, et sanctum chrisma, clavibus adhibitis custodiri, et per loca populosa, et maxime civitates, venerabiliter deferri." They were to see that every thing connected with the *altar* was kept with becoming propriety, the *eucharist* itself, and the *καλυμμάτιον* or *corporale*, on which it was deposited;—that the latter was of pure white linen, and washed only by a deacon or priest attired in his surplice; all the ablutions, or at least the first, being poured into the *piscina*;—and lastly, that the *coverings*, the *sacerdotal vests*, and all other things consecrated to the *altar*, were cleansed, apart from the contamination of unhallowed clothes, by some pure and pious virgin, or matron of unimpeachable character.

*Conc. Rotomag.*  
*Prov. P. II.*  
p. 565.  
*Synod. Constant.*

The decent keeping of the *sacramental articles* was justly deemed by the synod of Constance (*A.D.* MCCCLXXV.) of grave importance. It was enjoined on the *deans rural*

to enforce it at their kalendæ:—" *In kalendis præcipiant omnibus presbyteris et curatis quòd corporalia, et omnia alia ad missam pertinentia, super altare mundè teneant et honestè.*" See *Decreta Synodi Provincialis Aquisgranensis* (A.D. MDLXXXV.), de Vicariis Forancis, p.123.; also the council of Rouen (A.D. MDLXXXI.), de Sacramento Missæ;—of Bayeux (A.D. MDCLXII.), can. XIV.; and of Evreux (A.D. MDCXLIV.), chap. XII. can. XII.

The plebanî are ordered by the council of Ravenna (A.D. MDLXVIII.), and of Amalphi (A.D. MDXCVII.), to receive the "*sacra olea*" from the bishop of the mother or cathedral church, and to distribute them to the subject churches of their plebanates; and the like distribution is charged upon the archpresbyters rural of the diocese of Antwerp by Miræus (A.D. MDCX). Before which latter date, the church of Malines entrusted to her deans rural the partition of *chrisim* and other sacramentals "*in templo aut loco saltem decenti et honesto*;"—in fulfilling which duty, they were to take care that the distribution was made "*in mundis ac distinctis capsulis*," the bearers being ecclesiastics: and if any expence was necessarily incurred by the deans, it was to be repaid to them, at the discretion of the bishop, at his next visitation or convention.

"*Non modò archipresbyteri singulis annis,*" says a statute of the provincial synod of Malines (A.D. MDCVII.), "*ab ordinario suo, vel, sede vacante, à vicario-generalì, sacrum chrisma et sacra olea tempestivè petant, et per sacerdotem, diaconum, vel saltem subdiaconum, in mundis et honestis vasculis* (scilicet stanneis aut argenteis, nullo modo verò cupreis, tellaceis, aut vitreis) *ad locum residentie sue ferri curent: sed pastores etiam singuli quotannùs ab archi-*

*Conc. Rotom.  
Prov. P. I  
p. 203. & P. II.  
pp. 253, 405*

*Manf. Suppl. ad  
SS. CC. Tom. v.  
coll. 807. 1296.*

*Decret. Synod.  
Dioc. Antwerp.  
p. 285.*

*SS. CC. Tom.  
XXI. col. 595.*

*Decr. et Stat.  
Synod. Mechlin.  
Mechl. p. 45.*

*Van Espen,  
Part II. Tit. III.  
De Sacramento  
Confirmationis  
et de Chrismate,  
cap. II. p. 268.  
Decret. et Stat.  
Synod. Mechlin.  
Tit. II. cap. VI.  
Statuta Diocesis  
Gandavensis.  
Tit. II. cap. V.  
A.D. MDCL.*

*Decret. Synod.  
D. M. H. Arch.  
Colon. P. II.  
Tit. I. c. V. p. 55.*

*presbytero suo, vel ex eâ ecclesiâ undè consueverunt, per se aut alium sacerdotem, non autem illo inferiorem, in similibus vasculis sacrum chrisma, sanctaque olea ferre non omitant; iisque receptis, veteribus non utantur: sed quidquid ex illis superfuerit, si liquidum, lampadi quæ lucet ante venerabile sacramentum infundatur; sin autem bombyci, vel gossipio immixtum fuerit, super piscinam comburatur."*

For inattention to this branch of their personal duty the *deans* rural of the diocese of Cologne were severely rebuked by Archbishop Henry, in the synod of MDCLXII:—"Intelligimus quosdam *decanos* rurales," says he, *domi suæ hærentes per pedellos suos homines laicos, imò etiam (quod maxime absurdum est) per submissas fæminas, hæc sancta vel petere, vel ad se per multa itinerum spatia curare deferri. Ut huic abusui et sacrilegii periculo occurramus, omnibus ac singulis decanis ruralibus et aliis, quibus id incumbit, severe præcipimus, ut ipsimet, vel eorundem camerarii, vel alii idonei substituti sacerdotes . . . tempestivè compareant . . . et excipiant, &c."* See also capp. seqq.

*Charge to the  
Clergy of the  
Archdeaconry  
of Totness,  
MDCCVIII.*

It was, heretofore, the business of *deans* rural in England, Dr. Atterbury tells us, "to instruct the younger clergy in the way of *administering* and *ordering* *sacraments* and *sacramentals*, according to the canons and customs of the church." It probably was so;—but, in the course of my researches, I have met with no authority for the archdeacon's statement—none, that is, enjoining on *deans* rural by name the duty in question; though it was performed in the rural chapters of their *deanries*. But the archdeacons were the instructors on those occasions, according to Otho's canon; by which it was ordered that those superior officers should be frequently in attendance at the rural chapters, for the purpose. The

words are: "*Frequentèr interessè capitulis<sup>1</sup> per singulos decanatus, in quibus diligentèr instruant inter alia sacerdotès, ut benè vivant, ut sciant et sanè intelligant verba canonis et baptismatis, quæ sunt de substantiâ sacramenti.*"

*Const. Dom.  
Othonis, Edit.  
Oxon. p. 52.*

Before the intrusion of archdeacons into the capitular chair, *deans* rural probably officiated in the capacity of teachers of *sacramental* duties; and at a later date, when the archdeacons and their officials were absent, the *deans* may have acted as their substitutes.

The church of Rome, with her appurtenances of superstition, for a long while, greatly multiplied the catalogue of our *sacramental* duties, and added to our official responsibility; but the Reformation has released us from many services as unscriptural as they were unprofitable. The simple articles of furniture with which the altars of the church of England are now-a-days decorated for the sacrament of the eucharist, and her fonts for that of baptism, have happily reduced the *sacramental* department of our office to one of plain and easy execution. Of the mis-called *sacrament* of penance, and the duties of *deans* rural as confessors or *penitentiaries*, we shall presently speak.

But there is one holy rite—erroneously termed a *sacrament* by the church of Rome—*confirmation*—with which the *deans* rural of England have been brought into remote connexion by an ecclesiastical constitution of the date of the Restoration; which charges them to attend to the preparation of *catechumens* by the appointed ministers, in order to their being submitted to the bishop for

(<sup>1</sup>) "*Ruralibus—quæ hodiè tenentur,*" glosses John de Atho, "*per officiales archidiaconorum, et quandòque per decanos rurales.*"



CC. M. B. et II.  
Vol. IV. p. 563.  
can. v.

*confirmation*:—"Moreover," in the words of King Charles the Second's *Declaration concerning Ecclesiastical Affairs* (A.D. MDCLX.), "the rural dean and his assistants are, in their respective divisions, to see that the children and younger sort be carefully instructed, by the respective ministers of every parish, in the grounds of the Christian religion, and be able to give a good account of their faith and knowledge, and also of their Christian conversation conformable thereunto, before they be *confirmed* by the bishop, or admitted to the sacrament of the Lord's Supper."

Notitiæ Sethi  
Episc. Sarum,  
fol. 339. W8.

In compliance with which clause, Bishop Ward of Sarum (A.D. MDCLXX.) instructed his deans rural to observe whether the parochial clergy were "diligent in catechizing the children, and preparing them for *confirmation*." (*Officium Decanor. Rur. &c.* in the Appendix.)

Parochial Anti-  
quities, Vol. II.  
p. 357.

But many centuries before this date, deans rural were interested in the other popish sacrament referred to, the fourth of the Romish catalogue, viz. *penance*. "For the more immediate influence on their clergy, they were appointed to be their *confessors* and *penitentiaries*, because they were presumed to have the character of men of sufficient literature, and good report and favour with their brethren; and were therefore ordained to hear the *confessions* of rectors, vicars, and all other priests and ministers within the limits of their own deanry, and to enjoin them the sacrament of *penance*."

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## § 7.

## PENITENTIARY DUTIES OF Deans Rural.

Proceed we then, next, to the duties of deans rural in connexion with the solemn service of *confession* and *penance*;—premising that “all public criminals who had been guilty of notorious crimes were obliged, in the primitive<sup>1</sup> days of Christianity, to a public ἐξομολόγησις, or *repentance* in the church, and were declared unworthy of communion with Christ and his flock, till, by *confession*, *repentance*, and the fruits worthy of it, they were adjudged capable of God’s pardon.” “In pursuance of which, the bishop, and whom he deputed, ministered to these public satisfactions and amends.” Of the number of *penitentiary* delegates, so constituted, were deans rural; not merely for the *clergy*, but for the *laity* also, in a subordinate degree. As *pœnitentiarii*<sup>2</sup> of the former, in their respective deanries, they received the *confessions* of rectors, vicars, capellanes, and all other priests, and enjoined them “*the sacrament of penance* :”—but when first entrusted with this important duty by the bishop, the only *penitentiary* of “*infant Christendom*,” it is impossible to unravel:—“*prioribus quinque sexve sæculis*

See Suicer. *T. E.*  
in voce.

J. Taylor of *Ec-*  
*clesiastical Pe-*  
*nance*, § IV. 41.

Somner's *Antiq.*  
*of Canterbury*,  
Part I. p. 176.

(<sup>1</sup>) For an account of the four grades of penitents of the primitive church, the reader is referred to the very learned notes of the bishop of Saint Asaph, in *Can. Conc. Nicæn. Primi, can. XI.* in v. ἐν ἀκρωμένοις. *Synodic.* Tom II. p. 71. We have here only to do with *penance*, as a part of church discipline to which archpriests were ministerial. See Gibbon's *C. I. E. A.* Tit. XLVI. cap. 11.

(<sup>2</sup>) *Pœnitentiarius*—*párochus scil. vel alius sacerdos, cui jure canonico incumbit plebis sibi commissæ, aut alicujus singularis personæ, confessiones audire, et pro ratione delicti, juxta disciplinam ecclesiasticam, pœnas dare.* Vulgò, a *Confessor*.

Somner's *Gloss.*  
*ad Script. x.*

Thomass. *Vet. et Nov. Eccles. Disciplin.* V. I. p. 234.

*Primitive Christianity*, Part III. ch. v. p. 381.

*penes episcopum solum erat pœnitentiæ publicæ administrationis: penes presbyterum verò delegatum nonnisi episcopo absente, aut ægrotante."*

About the time of the Decian persecution (A.D. ccl.), Dr. Cave thinks, the subordinate public *penitentiary* was first appointed—"some holy, grave, and prudent presbyter"—as "a kind of *censor morum*, to inquire into the lives of Christians, to take an account of their failures, and to direct and dispose them to repentance." But the archpresbyter appears not in connexion with this vocation till full *five hundred* years after this date. However, we may say, in general terms, that rural archpriests at an early date (according to the *Decretum*<sup>1</sup> of Gratian, A.D. dvi., but in Thomassin's opinion nearly three centuries later) whether themselves *confessors* or not before that time, were then, at least, ministerial to the bishop in preparing *lay-penitents* (in relation to the *laity* they appear in a *penitentiary* capacity before they do in relation to the *clergy*) for undergoing<sup>2</sup> the solemn service of

Atterbury's  
*Archidiaconal Charge*,  
MDCCVIII.

(<sup>1</sup>) The text of the canon law, compiled by the monk of Bologna (A.D. mcl.), is here erroneous. Nothing of the kind is to be discovered in any of the canons of the council of Agatha, now extant. The mistake, however, is of long standing, Gratian having transcribed it from the bishop of Wormes's *Magnum Decretorum, seu Canonum Volumen* (A.D. m.),—and Burchard, again, from the collection of Rheginon, abbot of Prümia (A.D. dccccvi.), who, as I have elsewhere noted, antedated the canon in question nearly three hundred years. It probably belongs to the age of Charlemagne. See Thomassin *V. et N. E. D. de B.* Part II. L. I. c. v. Tom. I. p. 225.

J. Taylor of E-c-clesiastical Pen-  
nance, § IV. 41.

(<sup>2</sup>) "Though, by the nature of the thing," says Jeremy Taylor, "they only could be necessarily and essentially obliged, who had done public and notorious offences; yet some, observing the advantages of that way of *repentance*, the prayers of the church, the tears of the bishop, the compassion

penance on the first day of the quadragesimal fast—that godly discipline of the primitive church, to which reference is made at the beginning of our *commination* service.

At the church door stood the “*pœnitentes sacco induti, nudis pedibus, vultibus in terram demissis, reos se esse ipso habitu, et vultu protestantes*,” and were received by the priests and archpriests; who diligently examined their past course of life, and imposed the established degrees of penance proportionate to their guilt. After which the deans or archpriests, (“*Decani i.e. archipresbyteri parochiarum*,”) and their coadjutors, introduced them into the presence of the bishop, in the church, for the latter to perform his part of the *penitential* process. The season of Lent having past, on Easter-day the penitents were again presented by their deans and presbyters, in compliance with the conclusion of the same canon, to receive the holy sacrament of the Lord’s Supper at the altar. For “in the primitive records of the church, there was no form of absolution judicial, nothing but giving the penitents the holy communion, admitting them to the peace of the church, to the society and privileges of the faithful;”—“which was done by the bishop, (the highest order of the church being the prime agent in dispensing its highest power, the pardon of a penitent sinner), or, in his absence, by the priest or *confessor*, who took the supplicants from the station of the *penitents*, and placed them amongst the faithful *communicants*;—either by

*Decret. Pars 1.  
Distinct.  
L. LXIV. p. 71.  
Ex Atheniensi  
Concilio, an. 506.  
D. Burchard.  
Episc. Wormac.  
L. XIX. c. XXVI.  
p. 205.*

*J. Taylor of Ec-  
clesiastical Pe-  
nance, § IV. 50.*

*Cave’s Primitive  
Christianity,  
Part III. ch. v.  
p. 379.*

*J. Taylor of Ec-  
clesiastical Pe-  
nance, § IV. 55.*

compassion of the faithful, the joy of absolution and reconciliation, did come in voluntarily, and to do that by choice which the notorious criminals were to do of necessity.”

declaring that their *penances* were performed, or not to be exacted<sup>1</sup>."

SS. C.C. Tom.  
IX. col. 1066.

The fynod of Pavia (*A.D.* DCCCL.) introduces rural archpriests to us, in its sixth canon, in the character of *penitentiaries* appointed to excite public criminals to public *penance*, while private sins were to be atoned in private *confession* to inferior priests, approved of by the bishops and archpresbyters:— . . . "*Oportet ut plebium archipresbyteri per singulos unumquemque patremfamilias conveniant, quatenus tam ipsi, quam omnes in eorum domibus commorantes, qui publicè crimina perpetrarunt, publicè pœniteant; qui verò occultè deliquerunt, illis confiteantur, quos episcopi et plebium archipresbyteri idoneos ad secretiora vulnera mentium medicos elegerint; qui, si forsitan in aliquo dubitaverint, episcoporum suorum non dissimulent implorare sententiam &c.*"

Hincmar Opera,  
Tom. I. p. 730.

A farther notice of *deans* rural, as supervisors of ecclesiastical *penance*, appears in the councils of the diocese of Rheims under Archbishop Hincmar:—" *Et semper de kalendis in kalendas mensium, quandò presbyteri de decaniis simul conveniunt, conlationem de pœnitentibus suis habeant, qualiter unusquisque suam pœnitentiam faciat, et nobis per comministrum nostrum renunciatur, ut in actione pœnitentiæ pensare valeamus, quandò quisque pœnitens reconciliari debeat. Et si fortè quis ad pœnitentiam venire noluerit infra quindecim dies post perpetrationem peccati, et exhortationem presbyteri in cujus parochiâ actum fuerit,*

(<sup>1</sup>) See Burnet on the *Thirty-nine Articles*, p. 373, *Art.* xxv.—*Penance*; and Preface to the *History of the Reformation*, Vol. II. pp. xvi. xvii.; Soames's *Bampton Lectures*, pp. 266, seqq.; and *Proofs and Illustrations*, pp. 287, seqq.; and Tomline's *Christian Theology*, Vol. II. pp. 425-6.

*et sedulitatem decani ac compresbyterorum suorum, atque instantiam comministrorum nostrorum, decernatur qualiter qui peccatum perpetravit, et ad pœnitentiam redire contemnit, à cœtu ecclesiæ, donèc ad pœnitentiam redeat, segregetur &c.*" Which<sup>1</sup> sentence of excommunication the dean generally denounced, as the most dignified presbyter of his district, a judge delegate, and the organ of the church's censure on contumacious offenders against her discipline.

In addition to supervising the due performance of these public duties of *lay-penance*, that deans rural were actual receivers of *private confession*, and imposers of condign *penance* for the clergy more particularly, is the averment of Somner, Van Espen, Kennett, Whitaker, and others; and the vicar of Ambroden and the Historian of Manchester refer to Archbishop Peckham's eighth constitution (A.D. MCCLXXXI.), "*De uno confessore in quolibet decanatu faciundo*," as their authority for the fact. But, however probable it may be, that the archpresbyter of the deanry is alluded to as the long-established *confessor*, it is not expressly declared. The canon notices it to be an institution of antiquity, "*Ut in quolibet decanatu unus sit rector aut vicarius, literaturâ sufficienter illustratus, gratiâ famâque laudabili insignitus, ad confessionem rectorum, vicariorum, aliorumque sacerdotum ac ministrorum ecclesiæ audiendam, injungendasque pœnitentias, &c.*"—complains

See Whitaker's *Hist. of Manchester*, Vol. II. B. II. § III. p. 386.

CC. M. B. et II. Vol. II. p. 54.

(<sup>1</sup>) Bishop Kennett suggests to the bishop of Lincoln, on the occasion of restoring deans rural in the diocese of Lincoln, that there are many parts of discipline that may be committed to them without any pretended invasion upon the archdeacons or others; and particularly calls his lordship's attention "to letting the sentences of excommunication and absolution be denounced more especially by rural deans, &c."

Mss. Addenda, *Paroch. Antiq.* Vol. II. p. 358.



CC. M. B. et H.  
Vol. I. p. 651.

Vol. I. p. 609.

that the rule had been allowed, by the negligence of the clergy, to fall into defuetude, and re-enacts it in its pristine vigour and inviolability;—referring, as Lyndwood fuppofes, to the fifth constitution of Cardinal Otho, and the nineteenth of Stephen Langton (*A.D.* MCCXXII.) But *decanal confessors* are rather fuperfeded by the Legatine canon of the former, under the fancion of the tenth canon of the Lateran council of MCCXVI.—(by which bishops are bound to have *affiftants* in preaching, hearing *confessions*, and enjoining *penances*):—for the cardinal orders, “*Ut per quoslibet decanatus prudentes viri et fideles conftituantur per episcopum confeffores; quibus personæ et minores clerici valeant confiteri, qui decanis erubescunt confiteri, forsitan et verentur. In ecclesiis verò cathedralibus confeffores institui præcipimus generales.*”——making no allusion whatever to the institution of *deans* themselves as *penitentiary ministers* for the clergy, though the canon seems to acknowledge their pre-existence in that capacity. Nor does any occur in the earlier transcript of the Lateran, viz. the sixteenth canon of the provincial Scotch council (*A.D.* MCCXXV.), “*De confefforibus constituendis,*” also referred to by the same celebrated antiquaries, as authorities. The words of both point to a second class of *confessors*, beside the *decanal*, for the inferior clergy, when either ashamed or afraid to apply to the *deans* rural in that capacity,—the latter remaining, at the same time, the proper, canonical recipients of *clerical confession* in general, the “*confesfores nati*” of the priesthood of each *deanry*, upon some earlier appointment, not incorporated, as far as I can discover, in any antecedent capitulary or synod; but occurring, for the first time, in the tomes of the councils (*A.D.*

MCCCLXXXIV.), in the *Synodus apud S. Hippolytum*—“*Statuimus, ut singuli plebani, rectores, vicarii, et capellani nostræ diœcesis de gravioribus suis peccatis confiteantur suo decano: decani nobis, ac etiam archidiacono, seu iis, quos eis dederimus confessores.*”

SS. CC. Tom.  
xiv. col. 786.

The nineteenth Oxford constitution of Stephen Langton (*A.D.* MCCXXII.), above cited as being a reference of Peckham on the authority of Lyndwood, ordains certain discreet *confessors* to be selected by the bishop and archdeacon to receive<sup>1</sup> the *confessions* of rural deans themselves, when fearful of having recourse to their prelates for that purpose. And these functionaries, in all probability, were of the same character and institution as the “*presbyteri idonei literaturæ competentis, et probatæ omnibus opinionis*” of the canon *de Pœnitentiâ* of the same archbishop, published on the same occasion at Oxford,—as the “*duo presbyteri, moribus et scientiâ præditi*” of the earlier Dublin synod (*A.D.* MCCXVII.)—and the Chester constitutions (*A.D.* MCCLXXXIX.)—as the “*duo ad minus confessores*” &c. of the Durham council (*A.D.* MCCXX.)—the “*prudentes viri et fideles*” of Otho, and the Scotch council,—and the “*rector aut vicarius, literaturâ sufficientè illustratus*” &c. of the Lambeth synod; but distinct

*Vide Synod.  
Exon. cap. v. de  
Pœnitentiâ, A.D.  
MCCCLXXXVII.  
CC. M. B. et H.  
Vol. II. p. 133.*

Vol. I. p. 595.

*Ejusd.* p. 548.

Vol. II. p. 170.

Vol. I. p. 577.

(<sup>1</sup>) That is, says Lyndwood in his gloss—(L. v. Tit. xvi. gl. e, p. 327), those rural deans “*qui sunt beneficiati vel aliàs in sacerdotio constituti, vel ratione jurisdictionis quam sortè exercent, immediatè subsunt episcopo in foro animæ. Alièr autem si talis decanus sit parochianus alicujus curati inferioris episcopo, sibi debet confiteri.*”

So says the *Pœnitentiale Joannis De Deo*, “*de confessione archipresbyterorum, cap. xi.*” “*Archipresbyteri rurales, qui decani à quibusdam vocantur, et quandoque plebani, et quandoque abbates, licet improprie, . . . . debent episcopo confiteri, et alteri de licentiâ episcopi.*”

*Excerpta ex  
Pœnit. J. De Deo,  
in Append. ad  
Theodor. Pœnit.  
Tom. II.*

Lyndwood  
*Provinc.* p. 341.  
*gl. v. rectorum.*

*Ejusdem gl. v.*  
*communes pœni-*  
*tentiarior.*

*CC. M. B. et H.*  
*Vol. I. p. 547.*

altogether from rural deans or archpriests:—though, I believe, one glossator, Cardinal Hostiensis, applies the latter canon of Peckham to archpriests of the city and country in the character of *penitentiaries* of the priesthood by delegation of the bishop.

The “*pœnitentarii communes*” of Peckham’s constitution were so called “*quâ deputati sunt communiter tam pro laïcis quàm pro clericis:*” whereas the others were “*P. speciales quoad personas clericorum, quorum potestas extendi non debet ad laïcos, nisi hoc in eorum potestate in specie vel in genere contineatur.*”

The Meath canons of *A.D.* MCCXVI., so full in general on the duties of archpresbyters rural, as the appointed immediate successors of the *thorcpiscopî* of Ireland, are silent on the subject of their *penitentiary* functions; save that they order them to take care that the canonical penances of the church be duly performed in their districts, and that they themselves be present at them as witnesses:—“*vi. Curent insuper pœnitentias canonicas à nobis vel officialibus nostris impositas delinquentibus debite, et eâ, quâ decet solennitate, peragi, et perimpleri in ecclesiis infra suos limites, quibus ipsi cum presbyteris parochialibus intersint, tanquàm testes, ut quâ humilitate et devotione pœnitentiæ laboribus defuncti sunt, testificare possint.*”—being supervisors of imposed penitential performances exactly upon the same footing as the Rhemish deans of Archbishop Hincmar before quoted.

However, that deans rural were the *confessors* of the Gallican clergy of their respective deanries in the year MCCLXXXIV., is expressly affirmed in a canon of the synod of Saint Hippolyte, already quoted from the volumes of the councils:—and the synods of Arras (*A.D.* MCCCCLV.),

and of Saint Omer (*A.D.* MDLXXXIII.), continue them, as the *proprii sacerdotes* of their subject priests, in the capacity of receiving *confession*. All persons are bound, by the latter synod, “*confiteri proprio sacerdoti.*” . . . . .  
*“Proprium autem sacerdotem illum intelligi declaramus, cujus curæ quisque propriè subjectus est. Sic parochus proprius sacerdos est parochianorum suorum &c. . . . . Sic archipresbyterum seu decanum Christianitatis cujusque loci proprium sacerdotem esse et agnoscere volumus pastorum sui decanatus. Sic archipresbyterum civitatisensem proprium sacerdotem, ut pastorum sui decanatus, ita et cæterorum archipresbyterorum sive decanorum Christianitatis,” &c.*

Van Espen  
*I. E. U. P. II.*  
 Tit. vi. cap. v.  
 p. 317.

The synod of Arras prescribes (*De sacramento confessionis*), “*Quòd curati parochiales, presbyteri, capellani in eorum parochiis moram facientes, et in eisdem capellas habentes, confiteantur suis decanis et non aliis, nisi de nostrâ processerit, vel dictorum decanorum licentiâ speciali;*” . . . .  
*“Decani nobis aut in nostrâ absentiâ nostro vicario generali.”*

*Consl. Synod.*  
*Episc. Attrebat.*  
*A.D. MCCCCLV.*

Granting that rural deans were primitively invested with the capacity of hearing clerical *confession*, of inflicting *penance*, and giving or withholding *absolution*, and enjoyed a priority of institution in these duties, how came it to pass that they were virtually superseded, latterward, on almost all occasions, by other priests of inferior rank and station? Whence happened it that the presbyter superseded the archpresbyter?—The negligence, it may be, of the clergy, and contempt of the deans in supporting the laudable practice of confession, the bishop of Peterborough suggests, operated to the introduction of secondary *penitentiaries*. But the principal reason of the decay of *decanal confessors* is to be sought in the union of *penitentiary* and judge in the same functionary.



The deans, having by delegation from the bishop a judicial power over the inferior clergy, might possibly betray the private *confessions* of the latter in such causes as might afterwards come before them in their ordinary courts of Christianity; and thus, through a religious exercise for the relief of conscience, the *confessing* clergy might be instrumental to their own judicial crimination.

This explains why the rectors, vicars, capellanes, and others, were shy of approaching our predecessors in the exercise of their *confessorial* functions; and upon this contrariety of office, John de Athon, ever at war with the dean and his privileges, grounds their unsuitness for *penitentiary* duties. Glossing upon "*erubescunt*" in Otho's constitution, he suggests, that, as the same person could not with decency act in a double capacity, in a *penitential* and *judicial* court, the dean ought not to be appointed a *confessor* at all,—"*non debet talis confessor institui.*" And yet he immediately weakens the force of this alleged reason, by subjoining, in his gloss upon "*veretur*," that there is no cause for alarm on the part of the confessing clergy, "*cum in foro penitentiali confessionem audit sacerdos vice DEI, nec proderet potest peccatorem impune.*" Disclosure of the secrets of *confession* was forbidden under severe penalties by the church of Rome.

But besides these coadjutors of the deans in this department of their office,—(and being canonically appointed by the bishops in council to the *confessorial* duties, no one could gainsay their right of interference,)—others, who were mere interlopers and usurpers of the power, appeared in the twelfth and thirteenth centuries:—these were the monks, the *fratres predicatorum* and *minores*—who, in England, during the reign of King John and

Const. Dom.  
Othonis, p. 15.

Usserii de Christian.  
Eccles. Success.  
et Statu,  
cap. IX. pp. 332,  
segg. ex M. Paris,  
pp. 419. 611,  
612. 693, 694.  
and Field of the  
Church, B. v.  
c. 55. p. 696.



Henry III., wrested out of the hands of deans rural, and penitentiary priests as well, the entire authority and privilege of hearing *confession*, and adjusting *penance*; whence, in the words of Matthew Paris, the dignity and condition of the ordinary clergy "*non mediocritèr viluit.*"

To such a pitch of arrogance had these men arrived, when Peckham succeeded to the archiepiscopal chair of Canterbury, in the reign of Edward I., that they alleged a grant of some general privileges in their favour from the apostolical see, whereby they pretended themselves to be constituted *confessors*, totally independent of the bishops of the country; and, under a false plea of foreign investiture, meddled with the spiritual function of binding and loosing, (at no period allowed to be exercised *de jure* by mere monks out of their own convents) to the lamentable subversion of the discipline of the church. For this unauthorized usurpation they were severely reproved by Peckham, in his sixth Lambeth constitution, and again by Archbishop Reynolds in the reign of Edward II.<sup>1</sup>

CC. M. B. et H.  
Vol. II. p. 54.

In the synod held at Chichester (A.D. MCCLXXXIX.), it was ordered that no one should be sent before the *pœnitentiarii* on account of any crime which he had neither *confessed* nor been *convicted of*;—all enormous sins, at the same time, being reserved to the bishop's tribunal, or that of his deputy specially appointed. And when dispatched to the *penitentiary*, the penitent was to

CC. M. B. et H.  
Vol. II. p. 170.

(<sup>1</sup>) See Matth. Paris, *locis citatis*; Fuller's *History of Abbeyes*, Book VI. p. 275; Van Espen *Jur. Eccles. Univ.* P. II. T. VI.; *de Sacramento Pœnitentiæ*, c. v. *de ordinario pœnitentiæ ministro*, pp. 315, seqq.; and Sharon Turner's *History of England*, Part IV. c. III. pp. 402, seqq. *note*, p. 413.

be the bearer of letters to him from the *Dean* or arch-deacon, gratuitously bestowed at the suit of the sinner; who was also to bring back from the *confessor* a reply, stating the nature of the *penance*, and for what crime, in particular, it was enjoined. *Can. XII.*

The councils of the church enumerate the different grades of sins, and violations of discipline, and the *confessors* to whom the classified transgressors might canonically apply for *absolution*<sup>1</sup>. Thus, for example, in the council of Rheims (*A.D. MCCCXVIII.*), we have a list of "*casus pœnitentiariis per decanatus commissi*"—"casus presbyterorum parochialium"—"*casus nobis et pœnitentiariis nostris reservati, &c.*"—which, if the reader be curious about such absurdities, he may refer to in Mansi's *Supplement* to Colet's edition of the Councils, Tom. vi. col. 566, seqq. and *sparsim* in the collection.

*CC. Rotomag.  
Provinc. P. II.  
p. 456.*

P. 514.

*Decreta Anti-  
quæ Synodi  
Cameracensis,  
p. 314.*

Some bishops granted to their *Deans* rural the privilege of *absolving* in cases *reserved* to the episcopal chair, as the bishop of Seez (*A.D. MDCLXXXV.*)—"Nous donnions à nos *doyens* ruraux," says Bishop Savary, "*le pouvoir d'absoudre des cas à nous réservés:*" and the like power of absolution was conferred on *Deans* rural in the diocese of Lisieux.

Whenever the *Deans* gave *letters of absolution*, they were ordered by the synod of Cambray (*A.D. MDL.*), to state the nature of the sentence from which they absolved

Barthol. Fumi  
*Summa*; vel  
*Aurea Armilla*;  
p. 38. Ald.  
MDIIV.

(2) *Archipresbyter civitatis licet omnes de episcopatu possit absolvere, non tamen à reservatis sine speciali licentiâ episcopi, secundum Jo. an. in. c. si episcopus, de pœ. et sc. l. vi. non autem sic archipresbyter ruralis potest absolvere omnes de episcopatu, quia solum præest plebi; et quantum ad majora nihil debet facere sine relatione ad episcopum, in. d. c. fi. Potest tamen omnes pertinentes ad ecclesias, existentes sub suo plebanatu absolvere, quod patet per. d. c. fi.*

and at whose instance it had been inflicted:—otherwise the presbyters were not to execute the *literæ absolutoriæ* of the *deans*. The sum of money received by the latter, on these occasions, was also to be mentioned in the letters of absolution.

No longer personally concerned as public *confessors*, *deans* rural, in the province of the archbishop of Salzburg, are commanded by the forty-fifth constitution of the synod of MDLXIX., *cap. vi.*, to present all persons, who had been obstinately disobedient to this important branch of the church's discipline, to their diocesan bishop—*“Ita tamen quòd antequàm denuncientur, priùs per pastores suos de faciendâ Christianâ confessione paternè admoncantur: Qui, si protervè in impietate suâ perrexerint, tunc demùm ad superiores deferantur, ut coram ipsorum inobedientium superioribus pro obedientiæ debitæ præstatione sollicitari, vel ex officio pastoralis, canonico modo contra tales procedat, valeat.”*

*Consl. et Decret.  
Synod. Salis-  
burg. p. 245.*

The synod of Ypres (*A.D.* MDCXXIX.), interpreting the earlier statutes of that see on the duties of *deans* rural, decrees “*Decanos Christianitatis posse excipere confessiones subditorum sui districtus, ad se ex causâ recurrentium, etiam tempore paschali:*”—and the synod of the year following, remarking on the incommodioufness and indecency of having the *confessional* in an angle of the church, close to the altar (whereby communicants at the latter were often obstructed, and *penitents* themselves impeded in the ceremony of *confession*), imposes on the *deans* at visitation the duty of seeing that the *sedes confessionalis* be removed to a more honourable, decent, and conspicuous situation.

*Stat. Synod.  
Dioc. Ypresf.  
cap. xx.*

*Cap. v. p. 329.*

## SECTION VI.

## SUPERVISION OF SCHOOLS.

Gibson's *Codex*  
I. E. A. Tit.  
XLVIII. c. II.  
p. 1099.



THE authority of bishops over *schools* and *schoolmasters* appears clearly, Bishop Gibson says, from the original institution of *seminaries of education*, and from the ancient as well as modern laws of the church concerning them. The canon law is plain and express upon the point. On the continent of Europe, from the time of Pope Eugene's *Rescript* (A.D. ccccxxvi.), *schools* are distinctly spoken of "*in universis episcopis, subjectisque plebibus, &c.*" as under the direction of the spiritual power; and in our own country, as far back as the time of the Anglo-Saxons, they are as pointedly noticed "*per villas et vicos &c.*" as subject to episcopal regiment.

*Dist.* XXXVII.  
c. XII. p. 51.

Spelman, *CC.*  
Vol. I. p. 595.

These decrees and orders of councils, however, on the abstract right of bishops to interfere in *scholastic* matters, admitted; it must be, at the same time, acknowledged, that the highest functionaries of the church could not personally superintend and regulate every place of *public education* within their spiritual jurisdictions, and especially in remote rural districts. How then was this difficulty got over? How did the bishops perform those visitatorial duties over *schools* and *schoolmasters*, for which they were equally responsible, in such

places?—In Belgium, and apparently elsewhere, by delegation. They not only delegated the continual governance, but also the actual erection of *feminaries of instruction* to their rural deputies.

It is a canon of the fynod of Malines, "*Ut curent episcopi, ut quamprimum in oppidis et pagis suarum diocesium parochiales scholæ, si collapsæ sint, restituantur; si conservatæ, colantur et augeantur &c.*"—indicating that the church was desirous of advancing the machinery of parochial education by the influence of the hierarchy. But under the circumstances of the diocefan being unable personally to comply with the fynodal decree, the actual superintendence of the *feminaries* of the country there devolved on his rural deputy, the archpresbyter or dean of Christianity. Whence a second fynod of Malines, after regretting the want of edifices for carrying forward *parochial education* upon an extensive scale, suggests that they be immediately erected, wherever required, and that the deans rural enter into negociation with the local magistracy for erecting them, and raising the necessary stipends for the masters:—"Agant archipresbyteri," says the canon, "*cum magistratibus et præfectis locorum, ut eæ mox erigantur, simulque rationem ineant, ipsi ludimagistris de annuis stipendiis providendi.*"

The Belgian archpriests, generally, examined the masters and mistresses of the *schools* as to the soundness of their religious creed, before they admitted them to their respective charges; and the profession of the parties, then delivered and attested, was kept in the hands of the examiners; in compliance with the command of Philip II., as expressed in a particular edict to the fynod of Cambray. But, on another occasion, a civil

*Synod. Mechlin.*  
P. I. cap. II.  
*apud Van Espen*  
I. E. U. P. II.  
T. XI. c. v. p. 381.

*Synod. Mechlin.*  
P. II. Tit. XX.  
cap. I.

*Stat. Synodi*  
*Buscoduc. Tit.*  
XIX. cap. v. p. 98.  
*de Scholis.*



officer was added to the archpriest for the performance of this duty, and the licence of *both* required.

*Statut. Synod.  
Dioc. Antwerp.  
p. 246.*

The fynod of Antwerp (*A.D.* MDLXXVI.), under Sonnius, decrees, "*Nullum recipi in ludimagistrum sine expresso consensu decani ruralis, qui super illo admittendo maturè cum parochio deliberabit*"—(de Scholis Parochialibus). That, again, under Miræus (*A.D.* MDCX.), enacts — "*Ludimagister constituatur à pastore, magistratu et primariis parochiæ incolis (qui curabunt de necessario stipendio ei provideri) cum consensu decani ruralis, in cujus manibus faciet professionem fidei, jurabitque se non docturum aut permitturum ab hypodidascalo vel discipulis in scholâ suâ haberi libros hæreticos, aut de hæresi suspectos, aut quâcunque ratione in honestatem peccantes, aliâque prohibitos, &c.*" And that of Ypres under Georgius (*A.D.* MDCXXX.) makes profession of faith before the *decan* rural, and registration of admission by the same functionary, indispensable to a legal institution.

*Decret. Synod.  
Dioc. Antwerp.  
Tit. XIX. cap. II.  
p. 355.*

*Stat. Synodi  
Ypres. cap. II.  
de Scholis &c.  
p. 341.*

The *visitation* of parochial schools has been elsewhere noticed as entrusted to *deans* rural:—the fynods of Malines (*A.D.* MDCVII.) and Cambray enforce it every six months—" *Scholæ scholasticis capitulorum subjectæ, ab iisdem scholasticis, cæteræ omnes ab archipresbyteris, vel aliis ab ordinario deputatis, singulis saltèm semestribus seriò visitentur.*"

*Synod. Mechlin.  
P. II. Tit. XX.  
c. IV.*

*Synod. Camerac.  
P. II. Tit. II. c. II.*

*Const. et Decret.  
Synod. Salis-  
burg. p. 301.*

The fynod of Salzburg (*A.D.* MDLXIX.) places the regulation of *scholastic* studies in the *seminaries* of the country *entirely* under the *visitatorial* superintendence of *deans* rural—(Const. LIX. cap. VI. *de authoribus juventuti prælegendis*).

The scope and aim of this branch of the *decanal* office was, in the words of Van Espen,—"*Ut sciatur an juvenus*

*ritè instituat, quis sit puerorum in litterariâ scientiâ et  
scriptionis peritiâ profectus; an magistri magistræ instru-  
endæ, erudiendæque juventuti sedulò se impendant; modum  
convenientem, prudentiamque in regendâ juventute teneant;  
quos libros pueris prælegant, aut legendos tradant, aut legere  
permittant; an nulli prælegantur, qui turpe aut obscænum  
quid contineant, aut bonis moribus, vel fidei catholicæ ad-  
versum; curentque ut libri legantur, qui pueris pietatem et  
morum honestatem instillent.”*

Van Espen de  
Scholis Puero-  
rum, l. E. U.  
P. II. T. XI.  
c. v. p. 382.

My researches have detected no instance, in the Councils of Great Britain, of deans rural being delegated to visit, or otherwise interfere with, *schools and school-masters*, save in the abortive suggestions respecting the establishment of these officers in the reign of Queen Anne;—where it is recommended by the *Upper House of Convocation*, that rural deans should be authorised “particularly to inquire into the condition of *schools*, hospitals, *parochial libraries*, and the several gifts and legacies bequeathed to pious and charitable uses.”

CC. M. B. et II.  
Vol. IV. p. 611.

The following canon, “*De visitatione scholæ*,” of the *Reformatio Legum Ecclesiasticarum*, does not seem to appertain to our rural functionaries:—“*Bis unoquoque anno loci ordinarius puerorum progressus in studiis explorabit, atque tunc ingenia quæ videbuntur ad literas nimis inepta, excludet, libros parùm idoneos doceri non sinit, sed utiliores præscribet; præceptorem verò ignavie aut nimie cessationis suspectum coram decano, vel, eo absente, vice-decano, et duobus præbendariis arguet. Quod si bis frustra fecerit, tertio delinquentem loco movebit.*” The whole chapter, I believe, has reference to *schools* in cathedral cities only—not to rural parochial schools. The latter, however, have been, in modern days, subjected, by many English and Irish

De Visitatione  
Scholæ, c. III.  
R. LL. E. p. 110.

Ms. Addenda,  
Paroch. Antiq.  
Vol. II. p. 358.

Notitiæ Sethi  
Episc. Sarum,  
Ms. fol. 339.

diocesans, to the *visitation* and *surveillance* of *Deans* rural: see *Documents* in the *Appendix*.

Dr. White Kennett, in his judicious letter to the bishop of Lincoln (*dated* Ambrosden, Nov. 7, MDCXCIX.), strongly urges him, in the proposed renovation of the rural-decanal office within the diocese of Lincoln, "to license no curate or *scholmaster*<sup>1</sup> within his diocese without a certificate from the rural dean, of the person, the place, the salary, the duties, &c." And, in the diocese of Salisbury, about the year MDCLXX., Bishop Seth Ward bids the rural deans (whom he had recently appointed throughout the counties of Wilts and Berks, —*vide* *Officium Decanorum Ruralium* in the *Appendix*, *Sarum Documents*)—"to observe whether *schoolmasters* performed their duty of teaching and catechizing *scholars*, and bringing them to church on Sundays and holydays." See the duties of rural chapters in connexion with parochial education in the province of Rouen—*Part* v. *Sect.* II. *Chap.* XI.

Falle's *Jersey*,  
p. 166.

(<sup>1</sup>) In the *canons and constitutions* of Jersey, enacted by James I., it is commanded—c. XL. of *School-masters*—that there shall be a school-master in every parish, chosen by the minister, churchwardens, and principal persons thereof, and afterwards presented to the Dean to be licensed thereunto &c."

## SECTION VII.

## SUPERVISION OF HOSPITALS AND CHARITABLE FOUNDATIONS.



ACCORDING to the ancient rule of the canon law, "*de xenodochiis, et aliis similibus locis, per sollicitudinem episcoporum, in quorum diocesi existunt, ad easdem utilitates, quibus constituti sunt, ordinentur*"—it would appear that hospitals were under the inspection of the bishop *de jure communi*. Could he delegate the visitation of them to his country representative—the dean rural? There is evidence that he could, and did, both in Great Britain and on the continent—as far, at least, as the episcopal right of interference went; which was subject to some limitation. But to the full extent of his own power the bishop could commission his dean rural, as his vicarious visitor.

In England, on the authority of Lord Coke, a distinction obtains between *spiritual* and *lay hospitals*; in the former of which, the bishop visits; in the latter, the patron. And in Belgium, according to Van Espen, there are *hospitals* and other *charitable endowments* similarly situated; the administration and regiment of which are exclusively *laical*, and the foundations themselves *laical*. From these the dean rural—*decanus foraneus vel Christianitatis*—is, *by name*, excluded. He is allowed no concern with their eleemosynary economy;—the bishop himself being put aside, except where malversation and

*Extra*, L. III.  
T. XXXVI. c. III.

Gibson's *Codex*  
I. E. A. Tit.  
XLVIII. c. III.  
p. 1106.

Van Espen  
I. E. U. P. II.  
T. XXXVII. c. II.  
p. 704.

negligence are apparent on the part of the *laical* government;—on which occasions he is allowed, by the synod of Liege, to interfere. May we not, then, infer from this statement, that to *spiritual hospitals* the *dean rural* was admitted in the capacity of a delegate visitor? See Beckman's *History of Inventions*, Vol. iv. p. 475.

CC. M. B. et H.  
Vol. iv. p. 71.

But we are not left to mere inferences. The evidence is express and positive to the point of *deans rural* being supervisors of *hospitals* and other life foundations. The provincial Scotch council, held at Edinburgh (A.D. MDLI.), expressly orders, in its ninth canon, *De visitatione hospitalium*, "*Ut decani in suis visitationibus de statu omnium hospitalium referant, et debito tempore officialibus, seu commissariis generalibus ad effectum, ut ipsi defectus hujusmodi corrigant, et opportuna remedia desuper prospiciant.*" And the earlier council of the year MDXLIX, probably, includes *deans rural* in the like duties under the generic title of *ordinarii*.

Antea p. 56.  
can. XI. de Fundat. Hospitalium, &c.

Decreta Conc.  
Prov. Camerac.  
Tit. XIX. c. XIII.  
p. 73.

Amongst the visitatorial duties of *deans rural* of the diocese of Cambray, we find in the provincial council (A.D. MDLXXXVI.), under the nineteenth title, the following canon:—"Decani ecclesias parochiales et capellas ac hospitalia, aliaque pia loca eorundem districtum quottannis ut minimum semel visitent, et de eorum statu, ac quàm rectè divinum officium in eis peragatur; utrumne missis, et aliis piis foundationibus et oneribus satisfiat, et de cæteris huc pertinentibus accuratè inquirant."—c. XIV. "Excessus verò et defectus (si quos repererint) quibus ipsi mederi nequeant, episcopis locorumve ordinariis, seu eorum vicariis, quamprimum significant." The same charge is given by the bishop of Tournay (A.D. MDLXXIV.) to the *deans rural* of that diocese—to see that divine worship be duly

See also Decreta  
et Stat. Synod.  
Mechlin p. 155.  
A.D. MDCVII.

Decreta Synodi  
Tornacensis,  
p. 29. XVIII.



supported “*in xenodochiis, hospitalibus, aliisque piis locis,*” and that the revenues be administered according to the pious and charitable intention of the founders, and to the praise and glory of God.

In the diocese of Ghent, the archpresbyters rural have the like office to perform. The statutes of the year MDCL. enact — Cap. xx. Tit. xx. “*Archipresbyteri . . . . . non tantum fabricarum et mensarum pauperum, sed etiam hospitalium, domorum orphanorum, et quorumcunque piorum locorum computus semper audiant, ubi de jure et consuetudine id hactenus fecerunt; et examinatis præcedentibus computibus videant num eorum conclusiones debite purgatæ, seu reliqua eorum plenè soluta sint, utque omnia debite administrantur, atque ut computus semper in bonâ et convenienti formâ describantur et audiantur, diligentè advigilent.*”

*Decreta et Ordinata Diocesis Gandavenfis,*  
p. 98.

“*Solent archipresbyteri,*” says Van Elphen, “*loco episcopi intervenire computibus non tantum fabricæ, aut mensæ S. Spiritûs in parochiis sui districtûs, sed etiam hospitalium, begginagiorum, et monasteriorum ordinario subjectorum.*” See *Stat. Synod. Diœces. Yprenf.* Tit. xx. cap. xxiv. (A.D. MDCIX.), p. 274. and *Decreta et Statuta Synodi Mechlin.* (A.D. MDCVII.), Tit. xxii. cap. x.

*Jur. Eccles. Univ.*  
Part I. Tit. vi.  
cap. v. p. 31.

In the *Instructions or Articles of Enquiry* for deans rural of modern days, *charitable foundations* are generally omitted. But there are exceptions. Bishop Seth Ward’s “*Officium Decanorum Ruralium ad quod juramento astringendi sunt,*” annexes *hospitals* to the items of inquiry within the diocese of Sarum; as if the good prelate thought such establishments fit objects of decanal visitation. *Hospitals and charitable foundations* are also noticed in the *Convocational Proceedings* under Queen Anne relative to deans rural (*see the last section*); and *charitable*

*Notitiæ Sethi  
Episcopi Sa-  
rum, fol. 339.*

*H. D. R. Vol. II.  
Appendix, Win-  
chester Docu-  
ments.*

*Worcester  
Documents.*

*Gloucester and  
Bristol Docu-  
ments.*

*Chester Docu-  
ments.*

*Ely Documents.*

*endowments* are noted in the commission of the Dean rural of the diocese of Winchester by Bishop Sumner; in the articles of inquiry for the Dean rural of the diocese of Worcester by Bishop Pepys; and, together with national and other schools, and parochial libraries, in the commission of the same functionary in the diocese of Gloucester and Bristol by Bishop Monk, of Chester by Bishop Bird Sumner, and of Ely by Bishop Allen.

## SECTION VIII.

## ORDINATION, INSTITUTION, AND INDUCTION.

## CHAPTER I.

## ORDINATION.



THE connexion of Deans rural with the branches of personal service which stand at the head of the present section, has long since ceased in Great Britain;—I mean the serious and solemn duties, with which they were entrusted, as local ordinaries of the bishop, of examining into and testifying the fitness of candidates for *holy orders* within their several jurisdictions—of *presenting* such as were approved at the altar, for the episcopal act of *ordination*—and, subsequently, either personally *instituting* them, as in some few places of the continent it seems to have been their privilege, *ex consuetudine*, to do; or, which was more usual, of *introducing* them to the bishop for that purpose—and, lastly, putting them into the *corporal possession* of their benefices.

“That none might enter the church by *ordination*,” says the author of *A Humble Proposal for Parochial Reformation*, “but such whose habitual inclinations led to a religious life, the church placed much confidence in the office of the rural dean;—who was to publish the name of any one that was to be *ordained* of his deanry,

*A Humble Proposal &c. by I. M. c. XIII. p. 71.*

in the parish where he was born, or had most lived and conversed, and that for three Sundays before his ordination, to learn the esteem<sup>1</sup> people had of him, which the Dean was to certify the bishop of."

Many, however, and curious as are the items of deanal duty, which this nameless "*Presbyter of the Church of England*," (as he calls himself on his title-page) has thrown together in his *Humble Proposal to restore Rural Deans and Chapters according to the ancient way of the Church*, he is not always to be relied on for his facts and references. In proof of which, he has here allotted to the Dean what the church imposed upon the *parochus*; who was no Dean at all, according to modern acceptance, but a mere parochial incumbent. Again, he says, the council of Trent could find no surer way for prosecuting inquiries into the characters of *candidates for holy orders*, than by the instrumentality of rural Deans; but

*De Reformat.*  
Seff. VII. c. XIII.

*Discourse of  
Patronage*,  
chap. VII. p. 41.

(<sup>1</sup>) Zach. Cawdrey (rector of Barthomly in Cheshire, A.D. MDCLXXV.), in his *Discourse of Patronage*, suggests that "every patron may by law be obliged, within one month after the vacancy of a benefice, to nominate *three* probationers for the living, to the rural Dean, and the other ministers of that Deanry, wherein the vacant living is; and that those clergymen of the Deanry be obliged, diligently and faithfully to inquire into the abilities and due qualifications of the persons nominated; and if no just exception can be made and proved against them, that then the clergy of the Deanry should, within one month more, commend them to the parishioners, that they also may inquire into the merites of the candidates: and, after one month more reserved to the people for such inquiry, that they should represent back to the patron, by their humble petition and testimonials, two of the persons named to them, declaring their readiness to sit down under the ministry of either of them; leaving it to the patron to present to the bishop of the diocese which of those two he pleaseth."

the latter are not mentioned in the *Session* referred to, otherwise than as *ordinarii*, under which title they *may* be included of course; but it seems scarce allowable to single them out as distinctly referred to.

Whether *there* alluded to or not, however, they certainly had much to do with the *preliminaries* of *ordination*, in their *archipresbyteral* character, at a very early date; and so had their prototypes, the *billan* bishops of the fourth century, of whom so much has been said in Part II. S. I. The attention paid to the qualifications of persons about to be ordained to the priesthood, in the letter of Saint Basil, addressed to the *chorepiscopi* of his large diocese (who had departed from the exact discipline of their fathers in this respect), the reader will see in my notes to Dr. Priaulx's *Tract*; and in the version of the original Greek in that excellent periodical, *the British Magazine*, N<sup>o</sup>. xxvi. (February MCCCXXXIV.), p. 158. At that time, it seems, the *billan* bishops performed the duties of examination into the characters of *candidates for orders*—receiving the testimonies of the neighbouring clergy—*πρεσβύτεροι καὶ διάκονοι οἱ συνοικοῦντες αὐτοῖς*—to the point of their general fitness. And, it is probable, when the *billan* archpresbyters succeeded the *chorepiscopi* in their other ministerial duties, they were also capacitated by the diocesan to fulfil the same scrutiny of morals and acquirements of *candidates*.

On the authority of the council of Nantes (*A.D.* DCCCXC.) can. xi., it was the office of the archpriests to accompany the *candidates* in question to the episcopal city, in order to present them to the bishop for *ordination*:—“*Quando episcopus ordinationes facere disponit, omnes qui ad sacrum ministerium accedere volunt, feriâ quartâ ante*

Basil. Opera.  
Tom. iii. Epiit.  
CLXXXI. p. 193.

Appendix,  
Salisbury  
Documents.

See N. Alexan-  
dri de Chorepi-  
scopis *Dissertatio*,  
p. 180.  
*Dissert. Eccl.*  
*Trias*.

SS. CC. Tom.  
xi. col. 660.



*Decret. I. Pars.  
Distinct. XXIV.  
p. 34.  
Burchard. L. II.  
c. I. p. 35.*

*ipsam ordinationem evocandi sunt ad civitatem, unà cum archipresbyteris, qui eos representare debent. Et tunc episcopus è latere suo eligere debet sacerdotes et alios prudentes viros gnaros divinæ legis, et exercitatos in ecclesiasticis sanctionibus, qui ordinandorum vitam, genus, patriam, ætatem, institutionem, locum ubi educati sunt, si sint benè literati, si instructi in lege Domini, diligentèr investigent; ante omnia, si fidem catholicam firmitèr teneant, et verbis simplicibus asserere queant. Ipsi autem, quibus hoc committitur, cavere debent, ne aut favoris gratiâ, aut cujuscunque muneris cupiditate illecti, à vero deviant, ut indignum, et minùs idoneum ad sacros gradus suscipiendos, episcopi manibus applicent. Quod si fecerint, et ille, qui indignè accessit, ab altari removebitur; et illi qui donum Sancti Spiritûs vendere conati sunt, coram DEO jam condemnati ecclesiasticâ dignitate carebunt. Igitur per tres continuos dies diligentèr examinentur; et sic Sabbato, qui probati inventi sunt, episcopo represententur."*

*Thomassin. V. et  
N. E. D. Tom. I.  
P. I. L. II. c. VI.  
p. 227. II.*

The reason why deans rural were appointed to this honourable trust, Thomassin justly alleges to be, their intimate acquaintance with the parties concerned:—

*"Quodd archipresbyter regiunculæ suæ laicos clericosque singulos de proximo noscat, moresque eorum habeat explorationes, compertiora quoque studia litterarum."* Wherefore<sup>1</sup> the province of Rouen continues them in this important charge:—"Inquæstias de ordinandis clericis

*Synod. Constant.  
CC. Rotomag.  
Proc. P. II.  
p. 565.*

*CC. Rotomag.  
Provinc. P. II.  
p. 128. can. VII.*

(<sup>1</sup>) (A.D. MDCXXXI.) "*Ut ordinum candidati ad examen cantûs peritiores accedant,*" the Rouen councils also decree, "*præcipitur singulis decanibus, ut intra terminos sui decanatus unam seu duas iisdem candidatis scholas assignent: in quibus ab aliquo perito sacerdote in cantu plano et officiis ecclesiasticis ritè obeundis, instituantur: alioquin sciant se ab examine rejiciendos.*"

(A.D.

*faciant diligentèr decani,*” says the fynod of Constance (A.D. MCCCCLXXV.), “*non per eos quos adducunt ordinandi, sed per eos quos crediderint meliùs scire veritatem, tam de valore patrimoniorum, quàm de vitâ et conversatione ipsorum. Non concordent testes, sed singulorum testimonii depositiones scribant.*”

In the collection of *Statutes* of the diocese of Avranches (A.D. MDL.), the thirty-ninth institute relates to the duties of *deans rural*;—of which, one bears on the preliminaries of *ordination*—the life, conversation, quality, age, and general fitness of *candidates for orders*, and the value of the patrimony, or title, they will be severally possessed of as *ordained clerks*. The *deans* are charged —“*Pro ordinandis clericis inquæstas et informationes per fide dignos testes faciant de ordinandorum vitâ, conversatione, qualitate, ætate, et habilitate, necnòñ patrimonii aut tituli valore, testimonii depositiones fidelitèr scribant, et ad nos aut officarios nostros afferant, aut per fidelem nuncium transmittant. Similitèr cum ad eos mandatum ad banna pro vacante beneficio mittitur, quis sit patronus, qualisque sit præsentatus, inquirent: et quicquid invenerint<sup>2</sup>, verissimè rescribant.*” And, again, in the fortieth statute, there is a canon “*pro recipiendis ordinibus,*” in which the *deans* are much concerned . . . . . “*Ne in ipso statim limine*

CC. Rotomag.  
Prov. P. II. p. 289.  
Synodi Abrin-  
censes.

P. 291.

(A.D. MDCXL.) “*Ut decanorum studio per opportuniore civitatis et diæcesis loca scholæ cantûs et cæremoniarum ecclesiasticarum instituantur, ad quas clerici certis diebus è viciniâ discendi causâ convenient.*”

CC. Rotomag.  
Prov. P. II. p. 131.  
can. v.

(<sup>2</sup>) So the bishop of Peterborough recommends the bishop of Lincoln (in his suggestions for a new regulation of the economy of the *ruriducanal* office within the diocese of Lincoln) “to *institute* no clerk without a *certificate* from the *dean*, of the *vacancie*, the *true patron*, the *reputation* of the *presentee*, &c.”

MS. Addenda,  
Paroch. Antiq.  
Vol. II. p. 359.

*offendatur, providendum de litterâ testimoniali ordinandi, tàm super titulo sufficienti, quàm super vitâ et conversatione ejus qui sacris initiari desiderat. Ea cura decanâ incumbit singulis in suo decanatu, ut scilicet quandò ad eos scribitur super informatione faciendâ de promovendis ad ordines, diligentiam vehementem adhibeant super conversatione honestâ promovendorum, tituli veritate, omni fraude semotâ: indidentes eis periculum suspensionis in casu fraudis, ætate, et literaturâ. Itâ tamen quòd de duodecim testibus requisitis ex more antiquo, sex eligantur per decanum, et sex per promovendum. Et super his provideant sub pœnâ emendæ,” &c.*

*Acta et Decreta  
Synodi Camerac.  
MDL. p. 39.  
Canones et De-  
creta Concil.  
Prov. Camerac.  
p. 15. cap. IV.*

The synod of Cambray (A.D. MDL.), makes the “*testimonium legitimum decanî Christianitatis*” indispensable to admission into, or advancement in, *holy orders*. And the provincial council of the same see (A.D. MDLXV.) enacts, that no persons be admitted to the order of subdeacon, “*nisi decanî ruralis, vel officialis, vel utriusque testimonio per literas expressò comprobentur*” &c.:—to which a subsequent council adds, that the “*testimonia vitæ et probitatis morum quæ adferri debent à singulis ordinandis, omninò signata sint à decanâ ruralibus, ac deinceps ab eisdem decanâ clausa et obsignata mittantur, sub pœnâ rejectionis eorundem, et non admissionis ipsorum ordinandorum. Si quis autem sine illis litteris venerit, is non admittatur, immò ne quidè examinetur.*” See *Decreta Synodi Tornacensis* (A.D. MDLXXIV.), p. 22. “*de Sacramento Ordinis.*” *Statuts et Ordonnances faites A.D. MDC. par François Pericard, Evêque d’Avranches*—p. 304. can. LVII.; and those of the bishop of Seez (A.D. MDCLIII.), can. XXI. p. 442. imposing on *deans* rural the verification of the baptismal register of age in each case, the legitimacy of birth, amount of patrimony by inheritance or

*Decreta Concil.  
Prov. Camerac.  
Tit. X. c. I. p. 35.*

*Synod. Sagienfes.*

otherwise, the publication of the name of the *candidate*, or, at least, a certification of the same having been published, &c. &c.

In case of advancement "*ad majores ordines*," the archdeacon is charged in the provincial synod of Utrecht (A.D. MDCCLXIII.), to send the names of the *candidates* to all the archpresbyters of the diocese, and the archpresbyters, again, to their district pastors, that prayers may be offered up for them in all the churches.

Dr. Kennett proposes to the bishop of Lincoln, "to call in some of the gravest and nearest rural deans to examine and assist at *ordinations*; and to require *candidates* for *holy orders*, if they have lately resided within the diocese, to bring a *certificate* from the rural dean, and his neighbouring brethren." And the *Convocational Proceedings* under Queen Anne suggest, "that in all testimonials required by the bishop or other ordinary, relating to the abilities and manners of *candidates* for *holy orders*, curates, schoolmasters, or others within their districts, a more particular regard shall be paid to the testimony of rural deans<sup>1</sup>."

*Acta et Decreta  
Secundæ Synodi  
Provinciæ Ul-  
trajectensis,*  
p. 208. c. i.

*Mss. Addenda,  
Paroch. Antiq.*  
Vol. II. p. 358.

*CC. M. B. et H.*  
Vol. IV. p. 641.

(<sup>1</sup>) See Bishop Burnet's remarks, cited by Bishop Burgefs, *Appendix to Visitation Charge* 1832, p. 44. "The best clergyman" of Bishop Burnet's suggested scheme might be the dean rural.—Who more proper?



## CHAPTER II.

## INSTITUTION AND INDUCTION.

SS. CC. Tom.  
XIII. col. 1262.  
can. III.  
Thomassin. *V. et*  
*N. E. D.* Tom. I.  
p. 227.



HE charge of presenting *ordained* clerks to the bishop, or his vicar-general, for *institution* to vacant benefices, the dean shared with the archdeacon in the diocese of Tours, by a provincial council of Chateau Gontier (*A.D.* MCCXXXI.)—the lay and clerical patrons being commanded to employ one or other of these officers for that purpose.

*Theaur. Anec.*  
Mart. et Durand.  
Tom. IV. c. 856.

In some dioceses, strange as it may appear, archdeacons and archpriests enjoyed *de consuetudine*<sup>1</sup> the right of *institution* itself. In that of Liege, the former instituted to the larger churches ("*in ecclesiis et earum appendiciis*"), the latter to chapels ("*in capellis*"), according to the *Synodal Statutes* of the year MCCLXXXVII.:—but, in both instances, they were liable to suspension by their superior, the bishop, if they deviated from the

Van Espen  
*I. E. U.* P. II.  
Tit. XXVI. c. I.  
p. 547.

*Rights of the*  
*Clergy*, p. 64.

(<sup>1</sup>) Upon which plea of custom, Innocent III. supported the archdeacon of Richmond "*in jure instituendi; eò quòd archidiaconus hic probasset, se et prædecessores suos in continuâ possessione instituendi fuisse; quamvis de jure communi archidiacono sola institutio corporalis competat.*" The archdeacon had that power, observes Mr. Nelson, originally from the bishop, because the jurisdiction of the whole diocese was in him before there was an archdeacon; but, the grant which he had being lost, and it being customary for him to *institute*, by virtue (as it must be supposed) of such original grant, he may therefore *prescribe* to do it. Such was, probably, the origin of the archpresbyter rural's jurisdiction in *instituting* clerks, wherever it obtained.



canon of *institution*, and collated any clerk to a benefice who had not attained the age of twenty-five years.—Again, in the *Summa Silvestrina* it is asked, at fol. xxxix. *De archipresbytero*—“*Utrum archipresbyter ruralis habeat auctoritatem instituendi seu confirmandi præsentatos à patronis in ecclesiis quæ sunt sub suo plebanatu?*”—and answered, “*Quòd de communi jure non potest:—secùs ex consuetudine præscriptâ, sicut accidit in archiepiscopatu Florentino: quâ uterque archiepiscopus et archipresbyter ruralis seu plebanus potest confirmare præsentatum sibi: et ad quem primò recurrit ille expedit.*”

*Summæ Silvestrinæ*, Part I.  
fol. XXXIX.

*Institution*, however, was, generally, the act of the bishop; and the subsequent one of *induction* alone that of the dean, or archpresbyter rural, who received the mandate of the ordinary, and gave the new clerk *corporal possession* under it, accepting no fee for the duty performed—“*Decani pro missionibus clericorum in possessionem ecclesiarum, in quibus fuerint per episcopum instituti, nihil omninò recipere, vel extorquere præsumant.*” (*Const. W. de Cantilupo Wigorn. Episc. A.D. MCCXL.*)

*CC. M. B. et H.*  
Vol. I. p. 671.

“*In plerisque diœcesibus,*” says Van Espen, “*jus est archipresbyteris introducendi pastores aliosque beneficiatos in possessionem; recipiendi ab iis fidei professionem aliaque solita juramenta. Quinimò in quibusdam locis obtinuit, ut nullæ literæ curæ animarum deferretur, vel vicepastoratus cuiquam suffragentur, nisi præviè archipresbytero istius districtus exhibeantur, et ab eodem subsignentur.*”

*Jur. Eccl. Univ.*  
Part I. Tit. VI.  
cap. V. p. 31.  
*ex Decret. Synod.*  
*Gandaven. Tit.*  
XVI. cap. IX.

But, in the Belgian churches, *corporal institution* or *induction* was not the rural dean's *de jure communi*, nor even the archdeacon's, but the bishop's alone; who usually committed it to the dean of the district, as the latter's residence in the country enabled him more

*Ejusd. Tit. XII.*  
cap. I. p. 57. &  
Part II. T. XXVI.  
c. II. p. 550.

*Stat. Synod.  
Dioc. Ypresf.  
Tit. VII. c. VI.*

Cap. VIII.

conveniently to perform the ceremony, administer the oath<sup>1</sup>, &c. "*Decanorum officium est*," says the synod of Ypres (A.D. MDLXXVII.) . . . "*novitèr provisòs de parochiali ecclesiâ, aut alio beneficio ecclesiastico (visis litteris collationis non vitiatis, non cancellatis, neque aliquâ parte sui suspectis) in veram, realem, et corporalem beneficiorum collatorum possessionem per pulsam campanæ, traditionem clavium, missalis, calicis, aut ornamentorum, et osculum altaris, atque sub aliis solemnitatibus, pro consuetudine debitis et requisitis, inducere, et constituere, mediante summaria renovatione juramenti &c.*" And farther;—because false letters of induction were sometimes substituted, it was decreed by the same synod, that no presbyters should

Van Espen  
*Jur. Eccl. Univ.*  
P. II. Tit. XXVI.  
c. II. pp. 550-51.

(<sup>1</sup>) The oath taken by the person inducted was to this effect :—" *Ego N. juro et promitto obedientiam, reverentiam et honorem summo pontifici Romano, ac R. domino episcopo N. eorundemque successoribus. Item juro et promitto ecclesiæ meæ parochiali de N. fidelitèr deservire secundùm oneris illi annexi exigentiam, et in eo personalitèr residere. Bona pastoratûs vel ecclesiæ meæ non alienabo; et indebitè alienata, quantum in me erit, fidelitèr recuperare studebo. Specificationem omnium fructuum pastoratûs mei, cum debitâ designatione hypothecarum, limitum et terminorum, intra annum à festo nativitatis et Joannis Baptistæ proximè venturo, archpresbytero tradam; fructus anni, in quo me mori aut meam ecclesiam dimittere continget, subjicio et obligo ad laudabilem deservituram usque ad festum N. Sti Joannis Baptistæ, mortem vel dimissionem meam proximè subsequiturum. Sic me DEUS, &c.*" This oath was renewed by the synod of Malines (A.D. MDCIX.), and ordered to be taken before the rural dean and two other witnesses; and, together with the profession of the inducted's faith (according to the form of Pope Pius IV.), was to be entered in the registry of the deanry, with date, witnesses, &c. Nearly the like oath was taken, before the dean, on inducting the same, or any other person, into a benefice *without* cure of souls—*mutatis mutandis*—See also CC. Rotomag. Prov. P. II. p. 446. *Synodi Sagienfès, and Decreta et Ordinata Diœcesis Gandavenfès, A.D. MDCI.* pp. 121, seqq., for the forms of these juraments as taken by pastors, capellanes,

interfere in any case of *induction* (even though the letters should be addressed generally to *all* presbyters) without the sanction and consent of the *Dean*.

But to return to our infular usages, for examples of the employment of our villan officers in giving *corporal possession* of benefices:—On Saint Lucy's day (*A.D.* MCCXX.), Richard, rural *Dean* of Wodeford, *inducted* the prior and canons of Saint Frideswide, Oxford, into the appropriated tithes of Oakle, and certified it by special instrument, concluding thus—“*Ego et plures alii viri fide digni de capitulo de Witteford in hujus rei testimonium huic scripto sigilla nostra apposuimus.*”—And again, on the eighth of April (*A.D.* MCCCXXVII.), by mandate from Henry bishop of Lincoln, the rural sub-*Dean* of Wodeford, who was vicar of Wynchendon, *inducted* the aforefaid prior and

Kennett's *Parochial Antiq.*  
Vol. II. p. 2.  
(ex *Charitul.*  
*S. Fridesw. penes*  
*D. can. et Capit.*  
*Æd. Xti. Oxon.*  
Mss. p. 135.)

capellanes, &c. “And why,” asks Van Espen, “was this specification of ecclesiastical property to be exhibited to the archpresbyter, as the bishop's vicar?—why—but that he might, in place of the bishop, see to its due conservation, and that no part of it was lost or deteriorated, while in the keeping of the beneficiary!” In compliance with this oath, all sacellanes, pastors, and beneficed persons, were commanded by the synod of Ghent (*A.D.* MDCL.) to deliver, after *induction*, an exact inventory of all their goods, and rights accruing out of their respective benefices, to the archpriests or deans of Christianity; and also a full statement of all taxes paid by each benefice, that the same might be kept in the archives of the diocese.—Moreover, by the statutes of the same synod, authority was given to the archpriests to demand the original documents, or authentic copies, of all ecclesiastical endowments, to be exhibited to them by the patrons of the benefices within their archpresbyterates. (See also *Stat. Dioc. Synod. Yprenf.* T. xx.) And by the synod of Antwerp (*A.D.* MDCX.) they were authorised, at the time of visiting the parochial clergy, to examine the titles of *collation*, *instituition*, and *possession* of benefices, under which each incumbent held; and the clergy were charged to exhibit the instruments, on demand.

Van Espen  
*Jur. Eccl. Univ.*  
Part II. Tit.  
XXXVI. c. 1.  
p. 689.

*Decreta Dioc.*  
*Gandavenfis,*  
Tit. XVI. c. VIII.

Tit. XX. c. III.

*Decreta Dioc.*  
*Gandavenfis,*  
Tit. XX. c. IV.  
p. 90.

canons, in the person of John de Abingdon, into the same church, with the annexed chapels of Brill, Borstall, and Adingrave.

For this official act, as I have said, no fee was allowed to the *inductor*. The *dean rural* of the diocese of Worcester is expressly forbidden to demand or accept any by the canon above quoted. And in a *rescript* to the archbishop of Canterbury (*De Simoniâ*, cap. xxxvi.) Pope Innocent III. urges on the primate, "*Ut pravam consuetudinem de suâ provinciâ studeat abolere, per quam pro investiturâ, archidiaconi mancham argenti, minores verò decani vaccam albam sibi dare postulant, vel certam solvi pecunie quantitatem*"—a custom equally condemned by Honorius II. to the bishop and clergy of Liege—amongst whom he reprobates "*detestabilem consuetudinem exigendi per archidiaconos et decanos determinatam pecuniam de investituris ecclesiarum et altarium.*"

*Epist. Honorii II. ad Episcop. et Cler. Leod. in Dacher. Spicileg. Tom. XII. p. 158.*

But, in utter disregard of papal *rescripts* of inhibition, the archidiaconal and other agents of *induction*, in the next century, seem to have continued sadly extortionate in the performance of the duty—delaying the act itself and its certification for a most unreasonable time, under the hope of increasing their unlawful profits. In consequence of which abuse, Archbishop Stratford interposed with an *Extravagant* (A.D. mcccxlii.), strongly condemnatory of the practice, and bidding archdeacons and other ecclesiastical ministers, in obedience to mandates of *induction* from the bishop, to perform the ceremony *without delay*, and to be satisfied with *moderate charges*—3s. 4d. for the archdeacon, and 2s. for his official—to be paid in money or other commodities, at the option of the *inducted* clerk. (Can. III. *De Inductionibus* &c.)

*CC. M. B. et H. Vol. II. p. 697.*



It should seem, says the learned Mr. Johnson in a note upon this provincial constitution, the practice which now prevails for the archdeacon to give a mandate for the *instituted* clerk to be *inducted* by one that was not official, had its beginning in Lyndwood's time. For he proposes the question, whether the archdeacon in this case shall have any thing, and answers peremptorily in the negative; but that the *inductor* shall have what is sufficient for one of his degree:—“*Inducens habebit ab inducto expensas necessarias suo statui competentes sub moderatione quæ conceditur ipsi archidiacono, vel ejus officiali, &c.*”

*Ecclesiastical  
Laws, MCCCXIII.  
3. note (b).*

*Provincialis  
L. III. T. VII.  
p. 140.*

The dean rural was often thus *vicariously* appointed to the office of *induction* by the archdeacon (“*cujus officium est*,” glosses the bishop of Saint David's, “*admissos ad beneficia ecclesiastica inducere in corporalem beneficii possessionem*”), after the canon lawyers had deprived the former of his *priority* of jurisdiction in the matter, and *letters of induction* had begun to be addressed to the archdeacon, primarily, instead of the dean<sup>1</sup>.

*Gl. in voce  
Archidiaconus.*

*Parochial Anti-  
quities, Vol. II.  
p. 362.*

Dr. Kennett suggests to the bishop of Lincoln “to have the mandates for *induction* into parochial churches, allwaie directed, as of old, to the rural dean.”—“To license no curate or scholmaster without a certificate from the rural dean, of the person, the place, the salary, the duties &c.”—“To *institute* no clerk without a like account from the dean, of the vacancie, the true patron, the reputation of the presentee, &c.”

*Mss. Addenda,  
Paroch. Antiq.  
Vol. II. p. 358.*

Lastly, in the *Proceedings in Convocation* respecting

*CC. M. B. et H.  
Vol. IV. p. 641.*

(<sup>1</sup>) *A.D.* MCCCC. The bishop of Norwich wrote to the dean of his own manors to *induct* Tho. Brademere de Hogham, priest, *according to custom*, the archdeacon never *inducting* any one in the bishop's manors.

*Blomefield's  
Norfolk, Vol. I.  
p. 409.*



rural deans (*A.D.* MDCCX.), it is proposed by the *Upper House* as worthy of consideration, “how far it may be practicable, that mandates of *induction* be directed to the rural dean to be executed by him, or any other neighbouring minister.”

Most respectfully, but earnestly, would I solicit the attention of the right reverend the bishops to the suggestions thrown out by Dr. Kennett in reply to the bishop of Lincoln, and by the *Convocation* in obedience to the mandate of Queen Anne, respecting the restoration of deans rural to the antiquated duties, which are the subject of the present and preceding chapters, and which cannot be too soon, nor too generally revived, in my opinion, under such high sanction, in furtherance of that important department of church-discipline to which they appertain—the *ordination*, *institution* and *induction* of clerks. The suggestions are the more valuable, because they are perfectly practicable, and need only to be tried in order to be approved<sup>1</sup>.

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(<sup>1</sup>) In many dioceses it is usual for the bishops to depute their rural deans to act, from time to time, as *commissaries*, to receive the declaration and subscription of curates previous to their being licensed. And the *decanal* commission, in some instances, authorises the dean to examine the licences of all stipendiary and assistant curates within his deanry.

## SECTION IX.

## CITATORY AND CERTIFICATORY DUTIES.



S ministerial officers of superior prelates—*“Ministri tam episcoporum, quàm archidiaconorum”*—*deans rural* were concerned in the *citation* of delinquents into<sup>1</sup> the spiritual courts, and making *certificatory returns*—*“Decani ruralis officium est, in causis ecclesiasticis citationes et transmissas exequi;—cujus sigillum in talibus est authenticum,”* says the bishop of Saint David’s. “They were to receive warrants from the bishop or his substitute,” writes the dean of Gloucester, “and by vertue thereof to *cite* all such to make their appearance before the chiefe pastour or bishop, as were upon any occasion to be convented before him: and this their *citation* of such parties to be convented, under the seale of their office they were to *certifie* the bishop of.”

Their interference in these proceedings, Mr. Somner confines “to causes of moment, and when the clergy of their respective *deanries* were the subjects of *citation*; on

Lynd. *Provinc.*  
Edit. Oxon. p. 91.  
gl. in v. decanorū.

P. 81. gl. in v.  
decani ruralis.

Dr. Field of  
the Church,  
B. v. p. 507.

*Antiquities of  
Canterbury,*  
Part 1. p. 176.

(<sup>1</sup>) Persons cited before courts—Christian, whether by *deans rural* or other officers, were exempt from arrest. All violators of this privilege of the church were to be admonished by the *deans* to grant to the aggrieved immediate liberation, and recompence for injury sustained. Non-compliance on the part of offenders was subject to preemptory and unconditional excommunication. *Vide Can. “Qualitèr venientes ad curiam debent plenà libertate gaudere.”*

*Confl. Synodal.*  
*Episcopatus*  
*Atrebatensis,*  
*A.D. MCCCLV.*

*Const.* Othon.  
can. XXVI.  
*CC. M. B. et H.*  
Vol. I. p. 655.

which occasions, at least, the warrant was often directed, committed, and entrusted to the execution of the *deans*: and they, as a part of their office, either executed the same themselves, or else caused it to be executed by their apparitors, servants, beadles, or messengers"—"*per se, aut certos suos nuncios et fideles.*" But there seems no reason for the antiquary's restriction of *decanal* interposition to such cases alone. Indeed, these officers were general ministers of *citation* in consequence of the malpractices of others disqualifying them for the trust.

*Const.* Othon.  
p. 63. Ed. *Oxon.*

*Letters of summons*, it appears from the twenty-sixth constitution of Otho, had been previously executed, "at the instigation of the *promoters* of them, in a way most crafty and nefarious;"—"A multis accepimus," says the deacon cardinal, "*quòd citatorias literas impetrantes, eas ad locum, in quo morari dicitur, qui citatur, per tres designant garciones, quas super altare loci ejusdem ecclesiæ, vel ibidem in loco alio duo ponunt, et tertius statim rapit. Ex quo fit ut duobus postmodum testificantibus, quòd illum citaverint, juxta morem et consuetudinem regionis, excommunicatur vel suspenditur, ut contumax, qui contumaciæ prorsus utpotè citationis nescius vel expers erat.*"—To guard against such abuses in future, the ministerial part of the *citatory process* was changed by the legate, and the *mandates* ordered to be *always* served by an officer of the spiritual court (on the person, if he could be found, or, otherwise, by publication in the church), or, *at least*, directed to the rural *dean* of the *deanry*, for faithful execution by himself or deputies. Thirty years afterwards (*A.D.* MCCLXVIII.), the same constitution was confirmed by Cardinal Othobon;—with the addition, that, unless a return were made by the rural *dean*, or other definite

*Const.* Othon.  
Tit. XXV. p. 123.  
Edit. *Oxon.*

perſon (“*arbitrio demandantis*,” gloſs.) of the due execution of *the ſummons*, no puniſhment ſhould be inflicted for diſobedience of the injunction.

Scarce, however, had the *deans* been appointed to the office of receiving and tranſmitting *letters of citation and certificate*, than ſome of them began to abuſe their truſt; as appears from Archbiſhop Peckham’s twelfth conſtitution of Lambeth, *De certificationibus faciendis*:—“*Quidam ruralium decanorum in citationibus faciendis, contra communem juris ordinem de luciferianâ verſutiâ meritò diffamantur, qui viz. certificationem ſubdolam vendunt pro pecuniâ filiis falſitatis, nullâ citatione ad notiſiam citati ante certificationem hujusmodi, vel poſt eam aliquatenùs veniente, undè frequentèr evenit, ut innocens damnetur.*” For the prevention of which detailed knavery, it is ordered, that no *return* or *certificatory* be granted<sup>1</sup>, under the ſeal of a *dean rural*, to any applicant whatever, till it has been publicly read “*intra miſſarum ſolennia*,” on Sunday or other feſtival, in the church where the *cited* party dwells (“*fovet larem*”), or for the moſt part reſorts:—(“*Ut per hoc conſtare poſſit*,” ſays Lyndwood, “*quòd decanus apponens ſigillum non eſt in dolo vel fraude, ſigillando forſàn fictum vel falſum certificadorium.*”)—Moreover, that the *cited* have ſufficient time allowed him to make his appearance at the place and day appointed:

CC. M. B. et II.  
Vol. II. p. 57.

Johnſon’s Ec-  
cleſ. Laws,  
MCCCLXXXI.

CC. M. B. et II.  
Vol. II. p. 57.  
Provincial. L. II.  
Tit. I. p. 81.

(<sup>1</sup>) In Oughton’s *Ordo Judiciorum*, Tit. xxvi. “*Quid ſit certificadorium authenticum*,” it is noted . . . “*Quòd in omni certificadorio authentico*,” according to the practice of the Court of Arches, “*archidiaconus, officialis, commiſſarius, vel decanus ruralis (qui dicto certificadorio ſigillum officiù ſui appoſuit) teſtificari debet, ſe ſigillum hujusmodi appoſuiſſe, ad ſpecialem, ſeu perſonalem requiſitionem mandatarii; aliàs non valet hujusmodi certificadorium, nec dicitur authenticum.*”

Vol. I. p. 51.

*Provincial. L. II.  
T. I. p. 85.  
gl. in v. decani  
rurales.*

*gl. in v. omni  
anno.*

*CC. M. B. et H.  
Vol. II. p. 699.*

*Provincial. L. II.  
T. I. de Judiciis,  
p. 91.*

*Strype's Annals  
of the Reforma-  
tion, Vol. II.  
P. II. pp. 697-98.*

—or, if the case will not admit of such delay, then that the *certificatory* be given in the church, or other public place, before witnesses, *after citation* previously made before witnesses also; the time and place being noticed in the *return*;—and that no *certificatory* be granted, upon any plea whatever, *before citation*. To the strict observance of all which regulations the *deans* were to be sworn annually at the episcopal synod—“*Quia per eos potius quam per alios, qui habent sigilla authentica, multe fiebant fraudes,*” says Lyndwood:—and again, in explication of the annual repetition of the oath (sufficiently explained, one would think, in the limited duration of the *dean*’s tenancy of office, and the yearly recurrence of the diocesan synod), he subjoins, with his wonted severity and illiberality of insinuation. . . . . “*Aliàs postquam jurati essent, non oporteret hujusmodi juramentum requiri, nisi subesset causa suspicionis.*”

If *primary citations* in causes of correction (“*citationes primariæ, i. e. primâ vice emanantes*, Lynd. *pro correctionibus delinquentium*”) issued by bishops and archdeacons, or their officials, were transmitted through any rector, vicar, or other parochial minister than<sup>1</sup> the rural *dean*,

(<sup>1</sup>) “Whereas, law hath plainly forbidden,” says Bishop Freak of Norwich (*A.D.* MDLXXX.), “that *process* out of the court should be awarded to be served by the adverse party, or any of his assignment, whereof we see by daily experience the inconveniency; for that the adversary, keeping the *process* by him, will await such time and business of the party, that he cannot appear, and often such slender *returns* are made as bear no credit: it were greatly to the furtherance of justice and indifferent dealing, all *process* should be directed to the *deans rural* or *superintendents* in their several *deanries*, by their officers to be executed, and returned authentically, according to law. Whereby the subject shall have no cause of grief; and justice better may be executed.”



official, apparitor, or fervant, it was deemed uncanonical; —the delinquents so *cited* were absolved from obedience; and *the citations*, with the censures and processes consequent upon them, were “*ipso jure*” null and void.

Examples of the employment of *deans rural*, as *summoners* to superior courts-*Christian*, abound in our ancient histories of the thirteenth and fourteenth centuries. In the *Chronica* W. Thorn, *A.D.* mccc., the reader will find an ordination of rural *deanries* by Thomas Fyndon, abbot of St. Augustine; and, the following year, a *process* carried on against Peter de Mildestede, vicar of Faversham, in which the rural *dean* of Lenham, the last on the list of the abbot's fore-appointed *deanates*, is employed by his commissary to *cite* the delinquent vicar (previously declared contumacious, and suspended *ab ingressu ecclesiæ*) “*coram domino abbate vel ejus commissario in ecclesiâ Sancti Augustini Cant. &c.*” Then follows the *certificatorium* of the *dean*, which, as a curiosity, I transcribe, stating the due execution of the mandate of *citation*:—

“*Venerandæ discretionis viro, commissario venerabilis Patris Dei Gratiâ Abbatis Sancti Augustini Cant. suis humilis et devotus decanus de Lenham obedientiam, reverentiam, et honorem. Mandatum vestrum suscepi in hæc verba &c. Auctoritate cujus mandati præfatum vicarium quòd compareat coram vobis dictis die et loco peremptoriè citavi, dicitur tamen vulgaritèr quòd est absens et vagabundus. Et sic mandatum vestrum secundum sui formam et effectum reverentèr quatenus potui sum executus.*” The rebellious vicar still keeping aloof, in contempt of the court-*Christian*, *dean rural*, commissary, and abbot, he is declared suspended and excommunicate, in his own church of Faversham, and throughout the *deanry* of

*Scriptores* x.  
col. 1976.

Col. 1981, 1982,  
1983.

Lenham; and the commissary, at last, denounces him an incorrigible excommunicate, deprived of all preferment.

Prynne's *Usurpations* afford a second historical anecdote of citation by *deans rural*. Being concerned in the applicatory part of all admonitions, *summonses*, *returns*, and censures of the church, and the whole of its discipline, in country districts, being practically vested in them and their apparitors, we may readily conceive that they were sometimes exposed to insult and injury from the unruly violators of the church's peace. Accordingly, we read in Prynne, "*Quòd quidam malefactores et pacis nostræ perturbatores. . . . Richardum Christian Decanum Roberti Archiepiscopi Cantuar. de Ospringe per ipsum archiepiscopum usque Sellinges missum, ad quasdam citationes et alia, quæ ei ratione officii sui spiritualis incumbabant facienda, apud prædictam villam de Sellinges ceperunt, et ipsum versus posteriora equi illius retroversum et caudam ejusdem equi in manu suâ loco fræni tenentem equitare inhumanè compulerunt; ipsum etiam sic equitantem per medium ejusdem villæ de Sellinges cantibus et choreis illudendo duxerunt, et postea caudam illam, et aurículas ac labia ejusdem equi absciderunt, et ipsum Decanum in lutum sordidum projecerunt, ipsumque quo minùs officium super sibi per præfat. archiep. commissis et injunctis exercere potuit impediverunt &c.*" For which assault, thus circumstantially set forth, "the king directed his writ to the sheriff, to make inquiry by inquisition of a jury concerning it."

*Papal Usurpations*, Tome III.  
p. 987.

Hasted's *Hist. of Kent*, Vol. II.  
p. 804.

## SECTION X.

## Decanal APPARITORS.



O aid the deans in the execution of certain branches of their office, the church allowed them the use of *bedels* or *apparitors*—"Decani rurales," says Lyndwood, "*in quibusdam partibus habent jurisdictionem, et apparitores seu bedellos sibi intendentes.*" In reference to the bishop, the deans themselves stood in the capacity of *summoners*<sup>1</sup>—"Quantum est ad episcopum, intelligi potest quod ipsi decani sunt ejus apparitores:" and in the same relation to the deans, stood their own personal officers, who were employed to cite the clergy to *chapters*, *visitations*, and *convocations*, (for the mandates for the choice of *convocation-clerks* passed through the hands of deans rural), and to execute

*Provinciale*, l. v. T. xvii. gl. in v. decanorum, p. 352.

L. III. T. xxii. gl. in v. dun-taxat, p. 225.

Atterbury's *Archidiaconal Charge*, MDCCVIII. Somner's *Antiquities of Canterbury*, Part I. p. 176.

(<sup>1</sup>) "*D'n's archiepisc. officario suo salutem.—Amoveatur apparitor (utpotè subditis nostris onerosus occasione questus extorquendi) et compleatur ejus officium per decanum sicut extitit hactenus observatum. Idem etiam decanus in suo de cetero decanatu sit sine quavis injusta severitate sequestrator, et superfluitas ministrorum indebita undique deleatur ne impropria deinceps sub inchoatis tediis abbrevient dies nostros &c.*"

In the capacity of episcopal *summoners*, deans rural were purposed to have been commissioned by our ecclesiastical-law reformers. They were to have made known the time of the episcopal synod to the rural clergy, in order to ensure their attendance at it—(a duty enrolled in our earlier pages under *synodical duties*)—"Singulo quoque anno synodus ab episcopo indicetur, curetque diem conductam omnibus pastoribus qui sunt in agro per decanos ruri sparsos indicari &c."

*Ex Registre Will. Wickwane Ebor. Not. M. 8. M. 11. Kennett's Paroch. Antiq.* Vol. II. p. 351.

*Reformatio LL. Eccles.* cap. xx. p. 104.

CC. M. B. et H.  
Vol. i. p. 671.  
A.D. MCCXL.

*summonses* and *judicial writs* from the court-Christian, on behalf and in place of their masters. They were also supervisors of manners, and bound to notify to their employers any immoralities, or breaches of church-discipline, which occurred in their presence, or reached them by information: and, as the principals were punishable by removal from office, if they accepted any pecuniary bribe for concealing, or too lightly punishing, the crimes of offenders, so also were the under officers subject to the severe correction of the bishop's official for the like connivance and corruption. See *Const. W. de Cantilupo*, Wigorn. Episc. *Can. "Quòd officiales vel decani &c."*

CC. M. B. et H.  
Vol. i. p. 754.

By Archbishop Boniface's Lambeth constitution (A.D. MCCLXI.) *De apparitoribus sive bedellis*—certain regulations were established to remedy the "*gravamina et excessus*" resulting from the abuse of *apparitors*. . . . . "*Cùm pro faciendis executionibus, aut pro aliis necessitatibus ad hospitia rectorum, vicariorum, seu capellanorum, vel aliorum sacerdotum vel clericorum aut religiosorum eos declinare contigerit, nihil omninò ratione procurationis vel alterius servitii exigant ab eisdem, sed cum gratiarum actione recipientes ea, quæ eis ab hospitibus apponentur, illis contenti existant: neque per nuncios aut subbedellos, sed per seipsos executiones faciant præceptorum, &c.*" Moreover, they were not of themselves to pass sentences of excommunication, interdict, or suspension; nor to denounce judgments passed by others, without the special letters of their principals. Such sentences, otherwise delivered by them, were not obligatory in law, and might be disregarded with impunity. And lastly, inasmuch as it was the earnest desire of the church to exonerate the clergy from illegal charges, if *apparitors*, in violation and



contempt of her restrictive constitutions, were still burdensome and expensive in their visitings, they were to be punished with severity, and compelled to make double restitution to the aggrieved party.

These rules, I have no doubt, extended to *all apparitors*. The Dublin synod (*A.D.* MCCXVII.), had passed the same, or nearly so, long before; expressly restricting archidiaconal and decanal *bedels* by name—"bedelli seu apparitores, archidiaconis nostris vel decanis intendentes, &c." And, under pain of excommunication, the same officers were inhibited to ride in the diocese of Norwich—"Inhibemus sub pœnâ excommunicationis, ne bedelli archidiaconorum seu decanorum habeant equitaturas, sed pedites incedant, ne sint onerosi provincie"—(*A.D.* MCCLVII.)—though in the diocese of Winchester (in the larger deantries at least) they were allowed the aid of horses for the more expeditious delivery of their mandates:—"Sit in quolibet decanatu unicus duntaxat apparitor sine equo, exceptis diffusioribus decanatibus, in quibus permittimus apparitores eorum equites esse, cum non possint pedites, cum celeritate debitâ, omnia quæ eis nos, vel officialis noster, aut archidiaconus, vel officiales eorum injunxerimus expedire, &c." (*A.D.* MCCCVIII.)

*CC. M. B. et H.*  
Vol. I. p. 551.

*Ejusd.* p. 735.

*Ejusd.* Vol. II.  
p. 299.

Bishop Bleys of Worcester (*A.D.* MCCXIX.) ordered that every *apparitor* attached to a dean should be, at least, of the order of acolyth—"Nullus decanus habeat apparitorem nisi fuerit ille clericus, ad minus ordinatus in acolythum."

*Ejusd.* Vol. I.  
p. 571.

Notwithstanding the particularity of the cited limitations, and the severity of the penalties on disobedience, it seems, the *apparitors* contrived to evade them:—whence the necessity of the subsequent *Extravagant* of

Johnson's *Eccle.*  
*LL.* in anno.



CC. M. B. et H.  
Vol. II. p. 700.

Provincial. L. III.  
T. XXII. gl. in v.  
non equitem.

Archbishop Stratford (A. D. MCCCXLII.), restricting the number to one *foot-bedel* in each deanry ("tàm sub archidiacono quàm decano," says Lyndwood), without any horseman; the latter being granted to the bishop alone. This walking *apparitor* is allowed, by the provincial constitution of the archbishop, to remain only one night and day at the same rectory or vicarage, in each quarter of the year, unless specially invited to stay longer. He is forbidden to levy contributions of money, wool, lambs, or other perquisites, and is thankfully to receive whatever is freely presented to him. Any excess in retinue of *apparitors* is, *ipso facto*, suspension of the dean from office, until he again reduce them to the canonical limit. And, on the *apparitor's* side, any deviation from the strict letter of the law, either in being himself of the number so augmented, or in the mode of administering the personal duties of his office, is immediate deposition, *ipso facto*, and perpetual incapacity to resume the *apparitorial* functions<sup>1</sup>.

Brown's *Fasciculus Rerum*,  
p. 366.

(<sup>1</sup>) Great as were the faults and numerous the transgressions of the officers of the rural deans of England, they are quite eclipsed by those of foreign official underlings. The character of the officials of archpriests is thus given in the "*Gravamina centum Germanicæ Nationis*:"—"LV. Archipresbyterorum quoque officiales, ut plurimum sunt indocti, inhabiles, insuper et scurrilibus moribus, nihil pensi habentes, nihil aventes quàm pecuniam. Et quàm notoriè in publicis degant peccatis ac facinoribus, quotidiano discitur usu, per quod laici, quos ob admissa, debito modo corripere, ac in pietate Christianâ eruditiores et meliores reddere debebant, nedùm ad meliorem frugem non perducuntur, sed offendiculis onerantur potius. Ad hæc per leves ac viles has officialium personas, in quorum conscientiis, nulla Christianæ pietatis viget ratio, sed tantùm sceleratus habendi amor, laici miserè ad vivum usque in bonis suis spoliantur, ac deprædantur," &c.

"The

Subject to these regulations, the Dean rural continued to employ this fervant<sup>2</sup> till the period of the Reformation; when the latter entirely disappeared, and the former preserved little more than a nominal existence—"the cipher of a function." The *Canons* of MDLXXI. continue the Dean rural, but say nothing of his *apparitor*. Nor, in the *Constitutions Ecclesiastical* of MDXCVII., or those of MDCIII., does the latter any more appear;—unless, perchance, he be included among the *summoners* of "*inferior ordinaries*" there mentioned. But the abortive *Reformatio Legum Ecclesiasticarum* of Henry VIII. and Edward VI., when restoring archpresbyters, or Deans rural, to their full powers and usefulness, would also have granted to each the services of an *apparitor*. And such, in the next century, was the intention of Bishop Bedell of Kilmore;—indeed, he expressly orders his restored Deans rural to employ the services of their *apparitors* (one in each of the three *Deanries* of the diocese) for distributing episcopal *mandates* to their compresbyters.

In the islands of Jerfey and Guernfey, the *Constitutions*

"The Civilians have so low an opinion of a *beadle* or an *apparitor*, that they call him *animal tantum rationale*; by which it may be inferred, that he is of a meaner capacity than a sheriff's officer: and therefore, since he is such an *incomprehensible*, it is fit the court should not be troubled with many of them, &c."

(<sup>2</sup>) "Whereas the lewdness of *apparitors*, scouring of the countries; following their master's trade and exercise; some have been detected of forty marks bribery in half a quarter of a year, in half a *Deanry*; the Dean rural or superintendent shall cause some honest, religious, quick person, to whom he shall upon his credit commit those things he shall be put in trust with. Who, attending every consistory day upon the court, may certify and return all processes; and advertise of all abuses needing reformation."

Sparrow's *Collection*, pp. 21, and 48.

Gibson's *Codex I. E. A. Tit.* XLIII. cap. VII. p. 938.

*De Archiepiscopib. five Dean. Rur.* cap. V. p. 95.

*CC. M. B. et H.* Vol. IV. p. 538.

Ayliffe's *Parergon*, p. 69.

Freak's *Paper*.  
Strype's *Annals of the Reformation*, Vol. II. P. II. pp. 699—700.  
(*A.D.* MDLXXX.)

*Cæsarea* by  
Falle & Morant,  
*Append.* No. x.  
p. 216.

and *Canons Ecclesiastical* grant to the *Dean* one *apparitor*, who, in aidance of the *process of citation*, may swear to the duties thereof the clerks of parishes:—"XLVII. *Pour exécuter les citations et sémonces, le doyen affèrmentera les coustours des paroisses, et un appariteur, lesquels donneront fidèle record de leurs exploits, en donnant copie des citations et mandats originels à ceux qui le requerront, et en absence de la partie aux domestiques; et les causes de la comparence seront exprimées dedans lesdites citations et mandats.*"—"XLVIII. *Si la partie ne se trouve point, soit en se cachant, ou autre collusion, la citation sera affichée à l'huis du temple paroissial d'icelle, en cas qu'il n'ayt aucun domicile, et ce en jour de dimanche.*"

*Manu Supplem.*  
*ad SS. CC.* Tom.  
VI. col. 352.

Of foreign councils, one only prolongs the existence of the *Dean's officer* to the year MDCCXX.—and there, probably, he is no *apparitor*, but a mere domestic servant; for whose support, as well as that of his master and two horses, the *Concilium Ruthenorum* authorises the *Dean* to demand of the clergy sufficiency of maintenance, during the time of their necessary attendance on parochial visitation.

## SECTION XI.

## AUTHENTIC SEAL.



VERY important instrument in the hands of the *Dean* rural, for the purposes already referred to, and others to be now mentioned, was his *seal of office*;—constituting here in England, in the opinion of Bishop Kennett, his investiture. By its formal receipt from the diocesan, or his deputy, the *Dean* was duly commissioned to the immediate performance of his numerous functions, both *personal* and *capitular*; none of which *in scriptis* were legal, unless they had the sanction and impress of the *sigillum auctenticum*.

The privilege of using a *seal* was confirmed to *Deans* rural in England (for it *previously* existed) by the twenty-eighth *Constitution* of Cardinal Otho, “*De sigillis auctenticis, et de custodiâ eorum*” (A.D. MCCXXXVI.), upon<sup>1</sup> the plea of the total want of public notaries in the island at that time. The character and inscription of the *decanal seal* were peculiar. Inasmuch as the office was only of

Ms. Addenda,  
Paroch. Antiq.  
Kennett's Letter  
to Bishop of  
Lincoln.

Codex I. E. A.  
Tit. XLIV. cap. v.

CC. M. B. et H.  
Vol. 1. p. 655.

(<sup>1</sup>) “*Apud Anglos, referente Matthæo Parisio in Henrico tertio, quoniam Tabellionum usus in regno Angliæ non habetur, propter quod magis ad sigilla authentica credi est necesse; ut eorum copia facilius habeatur, statutum est, ut sigillum habeant non solum archiepiscopi et episcopi, sed etiam eorum officiales, item abbates, priores, decani, archidiaconi, et eorum officiales, decani rurales, necnon ecclesiarum cathedralium capitula, &c.*”

Mabillon *De Re  
Diplomaticâ*,  
L. II. c. XIII. IV.  
Vol. 1. p. 129.

J. de Anthon.  
gl. in v. *tantum*,  
p. 69.

CC. M. B. et H.  
Vol. II. p. 417.

a *temporary* nature, the *deans* were not allowed to have their own names inscribed on their *seal*, but *only* that of their office; at the expiration of which, they were to resign the *seal* at once, “without trouble or annoyance,” into the hands of the person by whom they had been appointed:—“*Illi qui temporale officium suscipiunt, putà decani rurales, et officiales, sigillum suum, quod tantum nomen officii (quasi diceret, sine nomine proprio, gloss.) habeat insculptum, finito officio, ei, à quo habeant officium, continuo et sine molestiâ resignent.*” The same is enacted in the fifth constitution of Richard de Kellow, bishop of Durham (*A.D.* MCCCXII.), with this additional particularity, that the titles of the different offices of the enumerated functionaries should be engraven on the *circumferences* of the *seals*:—“*Quòd tam officiales nostri quàm officiales archidiaconorum nostrorum, et eorum commissarii generales, aut decani rurales, nostrarum civitatis et diœcesis Dunelm, sigilla habeant auctentica, in quorum circumferentiis ipsorum officialium, commissariorum, decanorum officia expressiùs designentur, suis successoribus in officio relinquenda; quibus sigillis, quæ sua contingunt officia, semper utantur: alioquin pœnâ gravissimâ puniantur.*”

The superior ecclesiastics, having a perpetuity of enjoyment in their several dignities, were permitted to unite their personal or proper names with their titular distinctions in the legends of their *seals*,—an honour denied to the *deans of the country*—unless, from custom, these also chanced to enjoy the like permanency of rank and title;—as was the case with the *dean of Manchester*, and some others; who, with perpetuity of office, had the privilege of prefixing their personal names to their official honour. The usual subscription of the *dean of*

*History of Man-*  
*chester*, Vol. II.  
pp. 391, 398.



Manchester was *H. Decan. de Manucestro*. *Ho. Decan. de Manchester*: and such, Mr. Whitaker tells us, was the inscription of his *seal*. But the temporary dean's *signet* bore no proper name, running in a general form, adaptable to every possessor, as "*Sigillum decani decanatus de Ospreng*," "*Sigillum decani Berencestric*," "*Sigillum decanatus de Douer*," "*Sigillum officii decani de B.*"; of which we have examples, severally, in Hasted's *Kent*, Kennett's *Parochial Antiquities*, Lewis on *Seals*, and Thorne's *Chronica*.

All, however, of what duration soever their tenure of office, were commanded to be careful of the custody of their respective *seals*; and either to keep them faithfully under their personal charge and jurisdiction, or to delegate them to safe and sworn guardians;—neither themselves affixing them, nor by their appointed representatives, to any document whereby prejudice might *possibly* accrue to another person, without due circumspection and inquiry;—never refusing them to rightful and necessary applicants; but peremptorily and unconditionally denying them to falsaries and forgers. Lastly, the legate Otho enjoined, that the proper date of the day, month, year, and place, should be inserted at the beginning, or close, of every such *authentically-sealed* document.

Thus guarded by canonical enactment against the male-administration of his *seal*, either personally or vicariously, the rural dean ratified with it his *Certificatoria* already spoken of (*letters of response certifying the receipt and delivery of mandates of citation*)—his *Procuratoria* (*instruments by which proctors were delegated representatives in causes ecclesiastical, or courts-Christian*)—*Inquisitiones de jure patronatus*, and *Capitular Adjudications* gene-

*CC. M. B. et H.*  
Vol. i. p. 655.

*J. de Athon. gl.*  
in v. *ex quo*  
*possit*, p. 69.

See Oughton's  
*Ordo Judicio-*  
*rum*, Vol. i. Tit.  
xxvi. p. 51. &  
Tit. xlviii.  
p. 81.

rally—*Testamentary papers*, and *Letters of administration*, *Valores beneficiorum*, *Taxations*, *Testimonials for orders*, *Inductions of clerks*, *Marriage-banns*, and all other acts and documents, which, formally and in writing, were heretofore occasionally transmitted through the *Decanal* office; or to the execution of which, whether of a public or of a private nature, the *Dean* was an official party, attesting authoritatively with his *signet* their genuineness and authenticity.

The cause of all this wary legislation, canon upon canon, was this:—Before the arrival of Cardinal Otho in England, as legate *à latere* from Gregory IX., the use of *authentic seals* had been grossly misapplied, in reference to some of the purposes for which they had been instituted, not only by the “*minores clerici*” (“*quales sunt officiales et decani rurales*,” J. de A.), but also by superior prelates; (in one or other of which classes, our *Deans* are assuredly to be included, as having *sigilla authentica*;—though Johnson objects to the interpretation of the glossographer)—and thence the need of an amended code to check abuses wont to arise “*per insolentiam*.”

But to a few of the purposes (whether uses or abuses) to which the *rural-decanal signet* was applied;—and first, of *Certificatoria*:—

On the twenty-sixth constitution *De citationibus faciendis*, what has already been said under the head of *citatory processes and certificates* renders farther extracts on those branches of duty unnecessary. But the other canon referred to, viz. the twenty-seventh, demands the introduction of a few words bearing on our *rural sigils*. It is headed—“*Quæ literæ falsæ dicuntur, et pœna eorum qui eis uti præsumunt*:”—and after a brief preface, the

Const. D. Othon.  
Quæ literæ &c.  
gl. in v. *minoribus clericis*,  
p. 66.

cardinal writes . . . . “*Conficiuntur, ut audivimus, literæ, ac signantur non tantum à minoribus clericis, verum etiam à prælatis, in quibus manifestè cavetur aliquem contraxisse, contractui vel negotio affuisse, vel extitisse aliquem ad judicium evocatum, vel sibi citatorias literas præsentatas, qui tamen nunquam præsens fuerat, vel inventus, immò forsàn in aliâ provinciâ vel diœcesi tunc degebat, &c.*”—concluding with a plain statement, that all such persons are guilty of forgery, and liable to its penalty of suspension from office and benefice.

CC. M. B. et II.  
Vol. I. p. 565.

With regard to *Procuratoria*—rural deans attested with seal and signature letters *procuratory*:—wherein, again, they seem to have incurred blame, either as the dupes of fraudulent and designing men, and possibly unwittingly offenders, or else as privy to their nefarious practices, and sharing in their guilt and gain;—which is more than insinuated by the “*datâ mercede iniquitatis*,” noticed as the condition of the deans’ compliance, by Archbishop Peckham, in his Lambeth constitution, *De falsis procuratoriis non signandis* (A.D. MCCLXXXI.)—where the crime alleged against them is that of attaching their seals to fictitious documents, at the price of a bribe.

CC. M. B. et II.  
Vol. II. p. 57.

But it does not appear that they had any thing to do with the abuses in these matters of earlier date; when Otho, in his twenty-fifth constitution, *De officio procuratorum*, complained of the appointment of proctors *without letters at all*, or with letters *not ratified* by any *authentic seal*. Indeed, they could not have been then culpable; for it was only in consequence of their *signets* coming more into use, on the passing of that legatine canon, that male-administration in *attesting proxies*, on their part, ensued.

Johnson's *Eccle.  
Laws*, can. XIII.  
MCCLXXXI.

CC. M. B. et H.  
Vol. II. p. 57.

Johnson's *Eccle.  
Laws*, can. XIII.  
MCCLXXXI.

In Peckham's days, however, the *procuratorial* abuses are more or less connected with them; as the circumstances, so prominently brought forward by the archbishop in the cited canon, plainly shew. "Some crafty villain longing after the benefice of an absent incumbent, feigns his *citation* before an ecclesiastic judge, and the appointment of himself as his *proctor*. Then procuring the absentee to be *cited*, in order to defend his cause in court, he shews the forged *proxy* to some *dean*, and says, '*Quia sigillum meum paucis est cognitum, peto ut sigillum auctoritatis vestræ meo procuratorio apponatis*'; and by the wages of unrighteousness he obtains his request. By virtue of this false *proxy*, so obtained, he engages in suit with another, who feigns himself his adversary, and carries on the fraud, till at last he gets possession by sentence of court; while the true owner, whose estate is subverted, knows nothing of the matter."

To put an end to "such detestable frauds," the canon forbids the *dean* "to affix his *seal* to any *procuratorial instrument*, unless it be publicly asked in open court, (or out of court, when he that constitutes the *proctor*, and is known to be *in truth* the principal party, personally requests it) that so all fraud may be excluded." The penalty for transgression on the *dean's* part is three years' suspension from office and benefice.

It were easy to adduce examples of the employment of the *ruri-decanal seal* for the other purposes enumerated at p. 391, both *capitular* and *personal*; but it is unnecessary. Let the following brief remarks suffice: in addition to which, a few incidental notices of the application of the *signet* to public and private uses will appear in the sequel.

As *valuators* under the *Norwich Taxation* (A.D. MCCLIV.) the *deans rural* of England are charged in the *Litteræ Executoriæ* of the papal collector to make just *estimations* in writing of all ecclesiastical benefices within their respective *deanries*, and to *seal* the same with their *official signets*.

See Appendix,  
Lincoln Documents,  
No. VIII.

From the acknowledged authenticity and notoriety of the *decanal signet*, donations of lands, and such like gifts to ecclesiastic and charitable purposes, and deeds of conveyance of a private nature, (when a private *seal* was either wholly unknown, or not well known, or the party's quality or condition mean and obscure) were customarily ratified by the *dean rural's seal*.

The Rev. J. Wallis of Bodmin records that a deed of 17 Edward III. (A.D. MCCCXLIII.) has recently been discovered by him, in which is the following clause:—" *Et quod figilla nostra sunt incognita sigillum decani de Eastweneshire presentibus apponi procuravimus.*" The *seal* itself, I regret to say, has been detached from the deed, and lost.

British Magazine,  
May 1843,  
p. 350.

In copying the will of Sir Geoffrey Lutterell (A.D. MCCCXLV.) Mr. Registrar Swan of Lincoln informs me he found a direction to the following effect, that, "as my *seal* may not be sufficiently known, I have caused the *seal* of office of the *Dean* of Bettislowe to be affixed;" and Mr. Swan adds, it must have been the *rural-decanal seal*.

Again—"If the parties thought it for more security, and a better confirmation of what they did," says Mr. Lewis, "they would sometimes use both their own *seal* and some other *seal* that was better known; which, in this case too, was commonly the *seal* of some public

Lewis On the  
Antiquity and  
Use of Seals in  
England, p. 27.



office, as of a rural *Decanery*, officiality, &c., with an attestation of the officer that it was his *seal* of office.

It was not unusual, moreover, for the *sigil* of a *Decanate* to be applied authoritatively and alone, as a voucher of the truth of any important matter of fact, such as the loss of a private *seal*. The publication of John de Gresley of Drakelow, in the county of Derby, of the loss of his *signet*, is so supported:—“*Notum sit omnibus Christianis, quòd ego J. de G. non habui potestatem sigilli mei per unum annum integrum ultimo præteritum, jam notifico, in bonâ memoriâ et sanâ mente, quòd scripta sigillo meo contradico et denego in omnibus à tempore prædicto usque in diem restitutionis sigilli prædicti. In cujus rei testimonium sigillum Decanatus de Repingdon apposui.*”

But, whatever the powers of the *Decanal seal*, however used or abused in application, at the end of one short year, (unless the holder of the *sigil* enjoyed perpetuity of office) all were to be surrendered, with the authentic instrument itself, to the charge of a new *Dean*, or of the nominee of the bishop, or archdeacon, appointed to receive the same. Such was the command of the Cardinal Legate, from whose *Constitutions* we have already so largely quoted; but whether an innovation upon antiquity, or not, does not appear. By the *Deans* themselves it was probably deemed so, inasmuch as they persevered, spite of Otho and his canonical inhibitions, in retaining their *seals* and stations; and for their obstinate attachment to office are roughly handled by John de Athon, with his wonted bitterness of comment. “*Hoc tamen*” (says he, in reference to the annual resignation of *seals*) “*malè observant quidam officiales et Decani rurales, qui impinguati et crassati extorsionibus, immò et de sanguinibus*

Ducang. *Gloss.*  
Tom. III. P. II.  
col. 261. in voce.  
*Sigillum* Penfile:  
ex Th. Blount  
in *Nomolex.*

*Const. Dom.*  
*Othonis de Si-*  
*gillis &c. gl.* in  
voce, et *sine*  
*molestiâ*, p. 69.

*pauperum hujusmodi officia nimium zelantes, ea contra voluntates et præcepta suorum superiorum occupare contendunt, intendentes verè derivationem &c."*

And yet, how were the said *mercenary* *Deans* to get thus fat under the fullest enjoyment of their *sigils*, so pertinaciously retained, as is glossed, from selfish motives? They affixed them, be it remembered, in England, at all times, *without* fee or reward. The canon writes "*De facili præbeatur:*" and the glossographer explains, "*Abſque moroſâ retardatione, et abſque gravi examinatione, vel exactione pecuniæ pro ſigillatione ſeu inſinuatione, quæ grâtis de jure communi fieri debet.*" So that they could demand no fee. Whereas the archdeacons and their officials, to whom the rights and powers of the *Decanal ſeal* afterwards devolved, with almoſt all its pertinent juřiſdiction, (the *Decanal*, as it were, merging in the archidiaconal *ſignet*) pretended that "*moderata exactio pro hujusmodi modernis temporibus non prohibetur*<sup>1</sup>."

The conſtitution of the office, as far as the employment of the *ſeal* is concerned, admitted not of diſhoneſt exaction on the part of *Deans* rural; nor does it appear that in England theſe officers merited *in general* the character beſtowed on them by Otho's commentator. On the continent, however, we cannot exonerate them

*Conſt. Dom. Othonis de Sigillis &c. gl. in v. de facili, p. 69.*

(<sup>1</sup>) And certainly, if we may believe Giraldus de Barri, touching archidiaconal rapacity in *thoſe* days (for, *at preſent*, archdeacons are the worſt-remunerated functionaries of our whole eccleſiaſtical regime), the public were not likely to have their burdens lightened by the devolution:—"*Adeò enim,*" ſays he, "*hoc officium præ cæteris in eccleſiâ rapacitati datum eſt, ut archidiaconi nomen tanquàm archidiaboli cum horrore quodam auribus inſonet audientium. Sicùt enim ille raptor animarum, ſic iſte raptor pecuniarum.*"

Girald. Cambrenſ. *Gemm. Eccleſ. Diſt.* II. cap. XXXIII. apud Wh. Kennett in *Paroch. Antiq.* Vol. II.

SS. CC. T. XIV.  
col. 715. can. II.

from the guilt of rapacity. The councils of Poitiers (*A.D.* MCCLXXX.), and Saumur (*A.D.* MCCXCIV.) charge them with a love of filthy lucre, and greater regard to their own advantages than to the interests of their subject churches. The allegations of the first synod against them state the improper use of the *decanal seal* from motives of self-interest: and those of the latter are yet more criminatory; charging them with inflicting pecuniary, instead of canonical punishments, for the gravest sins, "*pro adulterio, fornicatione, incestu, et aliis excessibus, in quibus dispensare non possunt, à clericis et laicis pœnam pecuniariam contra canonum prohibitionem exigunt et extorquent;*"—and farther, with sending their scouts about the country to affix their *seals* to unexamined documents;—such, that is, as had never come under the cognisance of the principals.

Stat. Synod.  
Eccl. Camerac.  
Thes. Script. Vet.  
Tom. VII. c. 1340.

That the dean's private necessities might not render him thus extortionate and unjust, the bishop of Cambray granted him a moderate reward for the labours of the *siguet*; but it was not to be exceeded:—" *Inhibemus decanis nostris Christianitatis ne pro sigillo sui decanatus quibusque literis apponendo, ultra sex denarios Turonenses fortis monetæ recipiant.*" From the same prelate the dean also received three Turonese shillings for publishing banns, and granting *letters testimonial* under his *seal*—(*Titulo de Matrimonio.*) Within the diocese of Arras also a small payment was allowed by the synod of MCCCCLV.

Stat. Synod.  
Episc. Attrebat.  
A.D. MCCCCLV.

—" *Decani Christianitatis pro suis sigillis quibuscunque literis apponendis ultra tres denarios non recipiant, nisi pro suis literis testimonialibus et matrimonialibus faciendis, quo casu, pro eisdem literis possunt recipere duos solidos, et non ultra.*"

The notices of the dean rural's *seal* in foreign councils are not very numerous. The use of public notaries for authenticating documents superseded the necessity of *authentic seals* on the continent: as the want of such officers in England, according to Matthew Paris, occasioned the introduction of *official signets*, to supply their place.

The *Præcepta Antiqua Diœcesis Rotomagensis* (A.D. MCCXIV. MCCXXXV. MCCXLV. MCCLXXV.)—a *Canon* of the synod of Poitiers (the same I have before referred to) and a *Synodal Constitution* of the bishopric of Coutances (A.D. MCCCLXXV.), an extract from Father Rouvière's *Reomaus*, and another from the records of the Lutheran Church in Russia, alone appear in my note book. The Rouen diocesan decree (A.D. MCCXIV.) prohibits deans rural to exact any thing "*ratione sigilli . . . . pro justitiâ simplici faciendâ, vel pro exhibendâ, vel accelerandâ &c.*" A second of the same see (A.D. MCCXXXV.) enacts, "*Cùm aliquid mandabitur decanis, si aliàs commodè certificare curiam non poterunt, apponant sigilla sua literis curiæ, in signum quòd mandatum curiæ executioni demandarunt.*" A third (A.D. MCCXLV.) charges the deans to enjoin the presbyters, "*Ne de cætero sigilla sua tradant suis clericis deferenda, et quòd nihil sigillant donèc diligentèr viderint quod mandatur; nec priùs sigillent donèc mandatum quod eis injungitur, diligentèr fuerit executum.*"—"Item præcipitur sub gravissimâ pœnâ, ne aliquis sigillet aliquem se excommunicâsse de mandato curiæ, donec publicè priùs eum excommunicaverit, vel nisi post sigillationem incontinenti eum publicaverit excommunicatum." A fourth (A.D. MCCLXXV.) extends both these canons to the use of the deans' *seals* by themselves personally.

The Poictier's canon (A.D. MCCLXXX.) is a curious one :

CC. Rotomag.  
Prov. P. I. p. 124.

SS. CC. Tom.  
XIII. col. 1350.

CC. Rotomag.  
Prov. P. II.  
p. 78.

Ejusd. p. 83.



SS. CC. Tom.  
xiv. col. 718.

it is entitled, *De servientibus Judæis et usurariis*; and forbids *decans rural* to affix their *seals* to Jewish contracts:—"Disfrictiùs inhihemus, ne decani rurales, archipresbyteri, et alii subditi nostri, super contractibus Judæorum, obligationibus, seu conventionibus, ad commodum eorum initis, literas sigillare, vel eas scribere, vel auctoritatem impetiri præsumant." From which it may be inferred, that they were allowed to authenticate private contracts and conventions entered into by Christians, and to affix their *seals of office* to them in France, as they were in England. Examples of the latter have been already adduced from Mr. Lewis's very rare tract *On the Antiquity and Use of Seals in England*.

Synod. Constant.  
CC. Rotomag.  
Prov. P. II.  
p. 565.

The synod of Coutances (A.D. MCCCLXXV.) merely orders, "*Quòd quælibet parochialis ecclesia sigillum habeat pro exequendis literis judicum, &c. et sigilliferis Constantiensi et Valonensi infra tres menses afferant ipsa sigilla; et cum hoc decani rurales sua sigilla.*"

p. 641.

Further evidence of *ruri-decanal signets* in France are met with in Father Rouvière's *Reomaus* before quoted: "*De Sigillis Roberti Lingonensis Episcopi, et Thirrici Decani Reomaensis—A.D. MCCXL.*"—"Thirricus Reomaensis decanus, aliique ante et post ipsum non solum hujus, sed aliarum etiam ecclesiarum decani rurales sigillo usi sunt, ut representat hoc Tabularium Reomaense, cui imago inest presbyteri sacerdotali vestitu ad altare, cui crebrò sacer calix est impositus, celebrantis. Limbus decani et ecclesiæ ipsius nomen præfert. Sed illud habet decanus Reomaensis peculiare, quòd in secreto lilium Francicum gestet, quod regie foundationis, ut opinor, argumentum fuit." From the mention here made of the *secretum* or *contrafigillum*, we may infer that some *decans rural*, at least, had *privy-seals*.



The *Probsts* of the Lutheran Church in Russia are accustomed to *seal* their letters of church-businefs with the *seal* of their church: and the letters and packages, so sealed, are forwarded postage-free.

See II. D. R.  
Vol. II. Append.  
Russian Docu-  
ments.

It now only remains for me to direct the reader's attention to such particular *authentic sigils* of *Deans* rural as have been described by antiquaries; and to exhibit accurate delineations of such specimens as my researches have brought to light.

In the *Archæologia*, Vol. v.—xxxvi. p. 346, there is a paper by Dr. Pegge, entitled, “*The question discussed concerning the appearance of the matrices of so many conventional seals* ;”—in which he notices, incidentally, the *seals* of rural *Deantries*, officialities &c., stating them to have been “ambulatory things, passing from one person to another, and therefore not numerous.” But, at page 353, he says, “Several rural *Deans’ seals* are extant;” and, doubtless, *then* they were, or so faithful an antiquary had not so reported. But what has since become of them, we know not: the stores of the British Museum, the Antiquarian Society, and the Bodleian, have been in vain searched for a single *matrix*, or even an impression.—Few are described by authors, and yet fewer engraven.

*Archæologia*,  
Vol. v. p. 347.

“The *seals of office* of ecclesiastical persons or offices, as of bishops, rural *Deans*, chancellors, officials, &c.,” says Mr. Lewis, “were usually oblong or oval; but their *privy seals* were round.” Whether this distinction held good with regard to *Deanral signets*, or whether rural archpresbyters commonly used *contre* or *privy seals*, is, I think,

*Of the Antiquity  
and Use of Seals  
in England*, p. 19.

*Antiquities of  
Canterbury.  
Part I. p. 177.*

somewhat doubtful. The only *seals* of these officers known to me are oval;—which I proceed to notice.

“The *seal* of the Dean of Christianity of the city of Canterbury,” Mr. Somner observes, “being *authentic*, he had a hand in many exemplifications; in some joining with other; in other, alone by himself. Of which I have seen, of each sort, not a few. Wherein, especially in those of the elder sort, he writes and styles himself, *Decanus Christianitatis Cant.*” The impress of this *signet* I have never seen; but others of rural deanries of the diocese of Canterbury are subjoined;—two of them bearing a very favourite emblem of ecclesiastical *seals*; viz. the Virgin Mother and the Infant Jesus—the church of the place, which gives its name to the deanry, being, in all such cases, dedicated to St. Mary.

On the *seal* of the rural deanry of Sutton Valance, the Virgin Mary is represented on a richly-canopied throne, with a crown upon her head, and a glory encircling it; in her right hand, the Infant with a similar glory; and in



her left, a sceptre.—The inscription, *Sigillū decano decanatus de Sutton Valans.* An impression of this *seal* was

kindly forwarded to me by the dean of Norwich, from the collection of his friend Dr. Sutton.

In Mr. Lewis's plate of *Seals*, prefixed to his work *On the Antiquity and Use of Seals in England*, we have (fig. 3.) an engraving of the *seal* of the deanry of Dover.

*Introduction,*  
p. 5.



The impress is the representation of the Virgin Mary, to whom the church of Dover is dedicated, crowned, with the Infant Saviour in her arms. . . . The legend or inscription—*Sigill. decanaty de Dower.*

Not muchunlike is the *seal* belonging to the deanry of Ospringe in Kent, which has on it the Virgin Mary

*History of Kent,*  
Vol. ii. p. 805.  
*Jacob's History*  
*of Faverham,*  
p. 16. pl. 2. f. 3.  
and p. 51, note.  
*Archæologia,*  
Vol. v.—xxxvi.  
p. 347.



crowned, with a sceptre in her left hand ; and the Infant, with a glory round his head, in her right ; and round the margin, *Sigillũ decani decanatus de Ospreng*. The *matrix* of this *seal*, Mr. Jacob informs us, was found at Wye in the county of Kent ; and, Dr. Pegge says, was in the possession of the Rev. Edward Taylor of Bifrons (*A.D.* MDCCCLXXVIII). It is probably, Dr. Sutton thinks, at the present time, in the archives of St. John's College, Cambridge—a point which I have had no opportunity of ascertaining, but which others, with greater facilities of reference, may follow up.

*Parochial Anti-  
quities*, Vol. II.  
p. 336.

“The *Dean* of Burcester,” says the antiquarian historian of that place and Ambrofdon &c., “had a *seal* of his office, which was found among the ruins of the adjoining fort of Allcheſter, of which a double impreſſion in wax is to be found before and after the manuſcript *Hiſtory of Allcheſter*, of which<sup>1</sup> the figure is a pelican ſtanding on a font, or other pedeaſtal, opening her breaſt with her bill, and feeding a brood of young ones with her own blood ; as tradition goes of that indulgent bird : the form of the *ſeal* (agreeable with the moſt ancient) is oblong oval ; and round the margin, nigh the extremity of the circumference, is this

(<sup>1</sup>) This impreſs the Editor believes to have been not unuſual on eccleſiaſtic *ſeals*. He has one of the *officiality* of Dorſet, from the late Craven Ord's Collection, bearing the like impreſs, with *Sigillum Officialitatis Dorſetie* as its legend. It is an eſſigy which is frequently found on fonts and other church furniture. On the top of a magnificent oak canopy to a font in North Waltham Church, Norfolk, there is a beautiful pelican : and the braſs reading-deſk deſcribed in Britton's Norwich Cathedral as *an eagle*, is undoubtedly, Mr. J. A. Repton ſays, *a pelican*.

inscription, *S. Decani Burcestric*. Under the impress the author of the said manuscript has put this note: ‘The inscription of this *seal* is, *Sigillum Decani Burcestric*, shewing it to be the *seal* of the dean of Burcester; but whether rural or cathedral I know not; only it was found at Allcheester within mentioned.’ Burcester most certainly had never any cathedral dignity, but is still the head of a rural deanery.”

This *seal* I cannot discover, after assiduous search, to have been ever published; though it would appear, from a letter of White Kennett’s, dated Edmund Hall, *July 7*, *MDCXCIV.*, and addressed to the Rev. Mr. Blackwell, rector of Brampton in Northamptonshire, to have been his intention to have had it engraven. For he writes: “The figure of the church of Burcester, and *the seal of that deanery*, must be inscribed to you, because of your late relation to that place, though I am very tender of putting you to any expence in these hard times.”—The qualms here alluded to, I fear, deterred the parochial antiquary from eventually calling on his friend for the needful outlay. The church appears *without the seal*. And I have in vain endeavoured to recover either the *matrix*, or the *impression* attached to the *Mss.* history referred to. They are not to be met with in London or Oxford. Possibly, Dr. Bandinel informs me, the *Mss.* history, with the double impression of the *seal*, may be at Peterborough; as Kennett, in *MDCXII.* (then dean of Peterborough), gave to that cathedral a large collection of *Mss.*, in which it may have been included. I have attempted in vain to ascertain the fact.

All the rural deanries of the diocese of Norfolk, Mr. Blomefield tells us, had *peculiar seals* appropriated to

*Mss. Addenda,  
Parochial Anti-  
quities, Vol. II.  
p. 55.*

*Hist. of Norfolk,  
Vol. I. p. 473.  
Vol. II. p. 52.*



them. Several of them he had seen; but had never met with that of the large and important *deanry* of Rockland-Toft, nor with that of Thetford.

It is much to be regretted, that, of the many he had seen, he has described only two, viz. those of Fincham and Norwich, and has engraved only the latter. . "I have now by me," says the historian, "the probate of the will of Thomas Westhowe of Boketon, at Downham in Norfolk, dated the sixteenth of Dec. MCCCXIII., proved by Hugh Birdham, *dean* of Fincham; to which is affixed an oblong *seal* of red wax; the impress, a bird, probably a finch, on a tree, and a star in chief; and this legend, *Sigillum decanatus de Fyncham*, expressing both his own, and his *deanry's* name, in that device." Mr. Blomefield has given a list of the *deans* of Fincham from the year MCCL., to the year MDXVIII., but no impression of their *sigil*.

In the third volume of the same work, on a plate facing p. 1. *fig.* 163. is an engraving of the *seal* of the rural *dean* of the city of Norwich, with this inscription, S. DECANI. NORWICH. AD. QAVSAS.<sup>1</sup> This *deanry*, which was



(<sup>1</sup>) This *seal*, Mr. J. A. Repton thinks, is of early date;—the ornament of leaves being somewhat similar to the late Normans.

*Hist. of Norfolk*,  
Vol. II. p. 227.

See Vol. VII.  
p. 363. & note 8.

Vol. III. pl. p. 1.  
*fig.* 156. See  
Vol. IV. p. 572.

instituted *A.D.* MCCXVI.,<sup>1</sup> (earlier, Dr. Sutton thinks, than any other in Norfolk) was perpetually united, *A.D.* MCCCXXIX., to the contiguous deanry of Taverham. The last collation to it appears to have been *A.D.* MDXIX. A list of the deans is given by Blomefield, from the year MCCXVI. to the year MDXIX.

The deanry of Hingham in Norfolk, like the other rural deanries alluded to, had its peculiar *seal*; which, by the kindness of Dr. Sutton, (at the solicitation of the Hon. and very Rev. the Dean of Norwich,) I am enabled to lay before my readers. Its impress is curious—probably intended to represent Saint Andrew's cross—the saint to whom the church of Hingham was dedicated?



The legend, *Sigllu . deconatus : de . Hingham .* Mr. Blomefield gives a list of the deans of Hingham or Hengham, as it is called in the Taxation of Pope

*Taxatio Eccles.*  
P. Nicholai, p. 85.

Nicholas, from the year MCCCVII. to the year MCCCCLXVII.

The last rural-decanal *seal* of the diocese of Norwich I have to describe, is that of the deanry of Breccles; the

(<sup>1</sup>) Though *instituted* at this date perhaps, Dr. Sutton discovers from the diocesan records that the deanry of Norwich was not *collated* to till *A.D.* MCCCXXIX.

collations to which commence in the year MCCCXX., and clofe in the year MCCCCLXVI. Blomefield has not noticed this *feal*, or the preceding. Its appearance here is owing



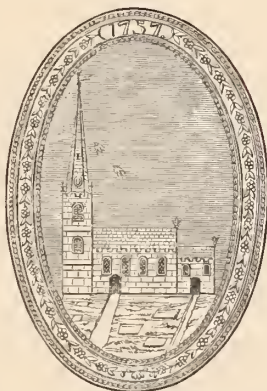
to the friendly exertions of Dr. Pellew, in illustration of my researches.

*Taxatio Ecclef.*  
P. Nicholai, p. 85.

The effigy upon the *feal* is the head of Saint John the Baptist; to whom, in all likelihood, the church of Breccles is dedicated. The infeription is, *Sigillum decanat de Brecclys*. In the *Taxatio Ecclesiastica* of Pope Nicholas, the deanry bears the title of *Decanatus de Breclis*.

Of the ancient rural-decanal *seals* of the archdeaconries of Chester and Richmond I have not been able to recover a single impressiion. But Mr. Ormerod has given us, in his *History of Cheshire*, an engraving of the *feal* of the general rural dean of the archdeaconry of Chester, at present in use; which, he says, appears to be copied from that used by the rural dean of Macclesfield, previous to the consolidation of the rural deanries of the diocese.—This *feal*, in the absence of earlier and more interesting specimens of the separate rural deanries, I have consigned to the hands of the engraver. But the

imprefs is feemingly nothing more than a stiff and ugly representation of Eaſtham Church (as I am told—not

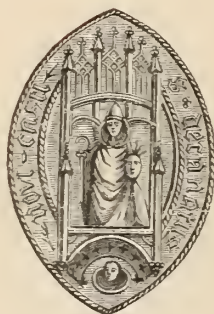


Macclesfield — as would be inferred from Ormerod) within an oval, or rather ovoid, flowered border, bearing the date of MDCCLVII.

To what dioceſe the annexed *ſeal* of the rural deanry of Newcaſtle is to be appropriated—whether to that of Durham or that of Lichfield and Coventry, I am at a loſs to determine. The *Taxatio Eccleſiaſtica* of Pope Nicholas notices a deanry of Newcaſtle, under the title of **Decanatus Nobis Caſtri**, in the archdeaconry of Stafford, and a ſecond under the ſame title in the archdeaconry of Northumberland. The *ſeal* is from the valuable collection of Mr. Doubleday of Little Ruſſel Street, London; who hazards no opinion as to which of the decanates of Newcaſtle it appertains to—whether to that which derives its name from Newcaſtle-upon-Tyne, or Newcaſtle-under-Line. The legend reads, **S. Decanatus Nobis Caſtr.** The effigy is ſuppoſed to be that of an eccleſiaſtic, under a canopied throne, holding a croſier in his right hand, and in his left hand the head of Saint John the

*Taxatio Eccleſ.*  
P. Nicholai,  
pp. 242, 316.

Baptist. At the base is represented the head of the Baptist, in a falver.



An interesting *seal* of a foreign rural deanry (from the collection of Dr. Sutton of Norwich) follows. It exhibits the Agnus Dei—the lamb, cross, and banner—the appropriate emblem of the triumph of Christianity over



Paganism.—From the inscription, *Sigillū Decanatus de Castrolidi*, it would appear to be the *seal* of the rural deanry of Château du Loire (*Castrum ad Lædum*, *Castrum Lidi*, or *Castrum Lidium*), in the province of Le Mans in France. I know nothing of its history.

I wish it were in my power to add to this beautiful specimen a few more examples of foreign type; but



none have fallen in my way, with any claim, or rather pretence, to admission here<sup>1</sup>.

In bringing to a close these few notices of rural-deanery seals, and of the powers entrusted to them as legal instruments of ratification, it is worthy of observation, that Archbishop Stratford, in his *Statuta et Ordinationes pro regimine curiæ de Arcubus* (A.D. MCCCXLII.), while he disallows the authority of the seal, to the extent of interfering with the privileges of the *Court of Arches*, for

CC. M. B. et H.  
Vol. II. p. 694.

(<sup>1</sup>) A seal, of no great antiquity, of an archpriest of Leodium, is figured in *The Gentleman's Magazine* for October MDCCCIX. Vol. LXXIX. Part II. p. 913. Pl. 2. The correspondent of Mr. Nichols states it to be of brass or mixed metal, with evident marks of the hammer having been used in making the impressions. It came into his hands in MDCCCLVIII.; having been, some time before, found at Golspie, in the county of Sutherland.

The impress exhibits a mitred ecclesiastic in canonical attire, the Virgin and Child, and an intervening crozier. The form is oval. The



epigraph, SIGILLUM\*ARCHYPRÆBITERII\*LEODIENSIS. The letters quite modern. Although pointed out to me by an eminent antiquary as the seal of a dean rural, I cannot subscribe to the opinion, without first learning the general type of such seals, their legends &c., on the continent. It has no resemblance to the seal of the Gallican deanry just

The Rev. Thos.  
Rackett, F.R.A.  
and L.SS.

judicial matters, *that is*, matters not legally belonging to the rural Dean's jurisdiction, (to ratify which the *seal*, perhaps, had been sometimes improperly applied)—still, in all such cases, as were under Otho's contemplation at the time of passing his statute, the archbishop admits the validity, of the *rural seal*, and orders it to be respected in his court:—" *In certificatoriis citationum, executionum, et aliorum mandatorum, à superioribus suis ordinariis vel delegatis commissorum, eisdem literis ipsorum decanorum sigillo officii decanatus hujusmodi consignatis, juxta mentem statuti prædicti fidem, volumus adhiberi.*"

*Reformatio Legum*, p. 303. *de Regulis Juris.*

In the *Reformatio Legum Ecclesiasticarum*, the *authentic seals* of all church functionaries, then proposed to be received as such in England, are enumerated, and the custody of them regulated. But, whether those of Deans rural are included, I must leave to the reader to determine, after perusing the final clause *de Regulis Juris*:—" *Authentica sigilla declaramus nostra, archiepiscoporum, episcoporum, decanorum, ecclesiarum cathedral. et earundem ecclesiarum, capitulorum, archidiaconorum, et eorum officium. Quæ penès ipsos aut ipsorum legitimos deputatos, et*

now described—that of Château-du-Loire;—none whatever to our insular *seals* of rural Deans, who *never* bear the title of archpriest on their *signets*. Consequently, there is no reasonable foundation for the supposition that the *seal* belonged to the rural Dean of Leeds in Yorkshire. Far more probable the notion, that would appropriate it to the archpresbyter of Liege, the urban Dean of the cathedral city of the province of the same name in the Netherlands. Or, possibly, it may be the *seal* of one of the Roman-Catholic archpriests who ruled the papists of England before they had a titular episcopal hierarchy. That the reader may be enabled to form his own judgment upon it, I have caused an accurate copy to be taken from the valuable repertory of Mr. Nichols.

*nullo modo apud suos Registrarios, seu Actorum scribas custodiri volumus.*" The decision, I fear, must be *against* us;—that though the ecclesiastical-law reformers intended to have made us most efficient spiritual watchmen in our respective districts of supervision, as the extracts adduced in earlier pages abundantly demonstrate, they never contemplated the restoration of our *seal of office*, and the branches of jurisdiction formerly connected with it<sup>1</sup>.

It has been elsewhere stated (*see Part III. Sect. II. p. 131.*) that rural deans were for a long while appointed

*De Archiepiscob.  
sive Decanis  
Ruralibus, c. v.  
p. 95.*

*Mss. Addenda,  
Parochial Anti-  
quities, Vol. II.  
p. 357.*

(<sup>1</sup>) To the period of this church-law reformation belongs the curious *seal* of the rural deanry of Sunning in Berkshire, a peculiar of the cathedral or urban dean of Salisbury, described by Sir W. Blackstone in the third



volume of the *Archæologia*, p. 414. The inscription is, SIGILLV : REGIAE : MAIESTATIS : AD : CAVSAS : ECCLESIASTICAS—PRO : DECANATV : DE : SONNYNG. The learned judge supposes it to be of the reign of Edward VI.

It

by the dioceſan without any formal commiſſion *in ſcriptis*, but were inveſted in the office by the delivery of the common *ſeal* (ſuch as we have been deſcribing);—which, at the death of each dean, was returned to the biſhop, or committed into cuſtody by his order, to be given to a ſucceſſor, at the biſhop's nomination.

To this ſimple method of inveſtiture, recommended as it is by its antiquity, I can ſee no reaſonable objection, if the biſhops ſhould think fit to revive it. But, as other methods of inſtitution or admiſſion are equally good and valid, it might not be worth while to reſtore the rural-decanal *ſeal* for that purpoſe alone. Deans rural however, whether inſtituted by ſuch an inſtrument or not, are undoubtedly entitled to the uſe of a *ſeal* after inveſtiture. The *Conſtitution* of Cardinal Otho enacts, “*Ut ſigillum habeant non ſolùm archiepiſcopi, et epiſcopi, ſed etiam eorum officiales. Itèm abbates, priores, et decani, archidiaconi, et eorum officiales, et decani rurales &c.*” It even ſtates what characters are to be engraven on the *ſeal* of the dean rural as a temporary functionary, and faſhions the inſtrument to his hand, Nor is this all;—Oughton ſays, that the practice of the Court of Arches would reſpect the *ſignet*, if it were preſented, in modern

*Conſt. Dom.*  
*Otho.* p. 68.  
*Edit.* Oxon.

See Oughton's  
*Ordo Judici-*  
*orum*, Tit. XXVI.  
XLVIII. Vol. I.  
pp. 51, 81.

It cannot be conſidered a rural dean's *ſeal*, properly ſo called, that is, in the ſenſe of thoſe we have been ſpeaking of. But it is not improbable, that the peculiar juriſdiction of the dean of Sarum may have been originally veſted in the rural dean of Sunning, as an independent functionary; who, like certain of his compeers, enjoyed fundry preſcriptive rights, and exerciſed fundry official powers, independent of the dioceſan (*witneſs* the deans of Manchester and many others), till the rural deanship, with its appendent juriſdiction, merged in the urban or cathedral deanship of the parent ſee.

days, as an authentic instrument, for the ratification of such documents as were originally intended by<sup>1</sup> the *Legatine Constitution* to be authenticated by it.

Would there, then, under these circumstances, be any impropriety in restoring to the *Dean rural* the actual use of his official *sigil*? Nay—to go a step farther—would not benefit be likely to accrue from such a measure?—By some, perhaps, the *seal* might be looked upon as a mere bauble—neither convertible to good nor ill—a useless implement of office. But, with deference, I would say, while it could do no harm, in the keeping of a trustworthy officer, (for to his legitimate powers it could add nothing,) it would, at least, give an air of authority to such episcopal or archidiaconal mandates as might be circulated by the *Dean's* instrumentality;—it would stamp an official character on his correspondence with superior functionaries, would authenticate his *Acta Visitationis*, or articles of parochial inquiry, and other returns to the bishop or archdeacon; and perhaps solicit from churchwardens more attention to written precepts and instructions, which the *Dean* might have occasion to issue in support of order and discipline.

As to the type and legend of such a *seal*, the effigy should have relation to the *matrix ecclesia* of the *Deanry*—the church whence the ecclesiastical division derives its name—a representation of the fabric of which, or of its tutelary saint, should supply the impress. The inscription should be strictly *official*, not *personal*—in compliance with the legatine canon, which orders that the

*Const. Dom.*  
*Othou.* p. 69.  
*gl.* in voce *sigillum suum*.

(<sup>1</sup>) *Deans* are now seldom applied to for their *seals*; and therefore the *Constitution* seems to be grown obsolete, though still in force.

Ayliffe's *Parergon*, I. C. A.  
p. 483.



*sigil* of the dean rural “*tantum nomen officii habeat insculptum* ;” a clause farther explained by John de Athon, who says, that though, in relation to deans rural and officials the *sigil* be spoken of as “*sigillum suum*,” it is only “*temporaliter eis commissum ; non enim habent dominium illius*.”

Such a *seal* I have devised for<sup>1</sup> the rural deanry with which I am connected. The device is from an ancient *seal* of the founder of the chantry or chapel of *All Saints* in the hamlet of Knighton, in the parish of Broad Chalke.

See Bowles's  
*Hundred of  
Chalke*, pp. 308,  
309.

(<sup>1</sup>) The deanry of Chalke in Wiltshire. It appears from the *civil* division of the county of Wilts, according to *Testa de Neville*, that the abbess of Wilton, in the time of Henry III. or beginning of Edward I., held, of the king, five knights' fees ; but that Chalke (or *Chelche*, as the word is written in Domesday-book) was the *Caput Baronie*. In the *ecclesiastical* division, the church of Broad Chalke may be fairly called the *mater ecclesiarum* of the deanry ; and certain it is, that its superiority amongst the neighbouring parishes of Ebbesbourne, Burgh or Bower Chalke, and Fifield, was admitted by them ; inasmuch as parts of the boundary fence of the churchyard of the larger parish are still kept in repair by the smaller. The church is the handsomest edifice in the vale, as well as the largest.

The other rural-decanal *seals* of the diocese of Salisbury (where alone, I believe, such instruments are in use in modern days) have the impress of the See of Sarum, viz. the Virgin and Child, with their usual inscription of *Sigillum decani decanatus de Wilton*, or whatever may be the name of the deanry.

## SECTION XII.

## TAXES COLLECTED BY DEANS RURAL.



THE taxes imposed upon the clergy, under the name of *papal* and *royal subsidies first-fruits*, and *tenths*<sup>1</sup>, together with *synodals* or *cathedratica*<sup>2</sup>, paid by the parochial clergy in token of subjection to the episcopal chair, were here-

Kennett's *Parochial Antiq.*  
Vol. II. p. 363.

(<sup>1</sup>) In the times of popery, the kings of England, on several occasions, obtained leave of the Popes to receive the tenth part of spiritual promotions, for a certain term of years; especially, in order to maintain and support the wars of the Holy Land.

Gibson's *Codex*  
I. E. A. Tit. XXXV. cap. II.  
p. 828, note.

(<sup>2</sup>) "In honour of the cathedral church, and in token of subjection to it, as the bishop's fee, every parochial minister within the diocese pays to the bishop an annual pension, called anciently *cathedraicum*. This acknowledgment is supposed to have taken rise from the establishment of distinct parishes, with certain revenues, and thereby the separating of those districts from the immediate relation they had borne to the cathedral church. By the council of Bracara, this pension is called *Honor Cathedræ Episcopalis*, and restrained (if it was not limited before) to two shillings each church—(‘*Placuit ut nullus episcoporum per suam diocesem ambulans, præter honorem cathedræ suæ, id est, duos solidos, aliud aliquid per ecclesias tollat*:’)—which canon became afterwards part of the canon-law of the church, with this gloss upon the words *duos solidos* (*ad plus: minus enim aliquandò datur*), and hath been received in England, as in other churches, under the name of *synodaticum*, because generally paid at the bishop's synod at Easter." See also Father Paul of Beneficiary Matters, chap. x. p. 32. and notes there; Hayes's *Transfation*;—and the bishop of Meath's (A.D. MDXCVI.) *Tractatus de Visitationibus Episcopalibus*, c. xxx. pp. 74, seqq.

Gibson's *Codex*  
I. E. A. Tit. VIII. cap. I. Vol. I.  
p. 171, and see Tit. XLII. cap. IX.  
Vol. II. p. 976.

*Scriptor. x.*  
col. 2160.

tofore levied by rural deans. Those of a public nature they certified the *collection* of to their superiors, under<sup>1</sup> the *seal* of their office;—of which an example occurs in the *Chronica W. Thorn.* (“*Certificatorium ex parte decani*”) of the reign of Richard II. (A.D. MCCCLXXXIV.)

Wilkins's *Leges*  
*Angl. Sax.*  
p. 335.

CC. M. B. et II.  
Vol. I. p. 491.

Conc. Rotomag.  
Prov. P. I. p. 93.

Ex Rog. Hoveden.  
*in anno.*

Vide *Scriptores*  
*post Bedam,*  
p. 641.

Two centuries before this date, our rural functionaries were actively employed in collecting the “*Decimæ Saladinæ, in subventionem terræ Ierosolymitanæ*” — when Henry II. determined to undertake a crusade to the Holy Land in conjunction with the king of France and earl of Flanders (A.D. MCLXXXVIII). On which occasion the tribute was ordered to be levied “*in singulis parochiis, præsentē presbytero parochiæ, et archipresbytero, et aliis;*” — excommunication having been previously pronounced by the archbishops, bishops, and archpriests or deans, against all who paid not the said *tenths* in the presence of the said *collectors*.

*Ecclesiast. Laws,*  
MCLXXXVIII. 3.  
note (u).

This was the<sup>2</sup> first instance, Mr. Johnson says, of paying *tenths*. But it was not the first, apparently, of decanal *collectorship* of *imposts*; for in the same reign, sixteen years before, while the king was detained in Normandy by the rebellion of his sons, Jeffery, his illegitimate son by Rosamund, lay-bishop elect of Lincoln, having raised an immense sum of money through his diocese, and subsequently determined, upon honoura-

*Parochial Antiquities,* Vol. I.  
p. 179.

Ex Wharton's  
*Angl. Sacr.* P. II.  
p. 378.

(<sup>1</sup>) . . . “*In cujus rei &c. sigillum officii decani de B. præsentibus est appensum &c.*”

(<sup>2</sup>) “*Hic notandum,*” says Van Espen, “*antiquiorem non reperiri decimæ hujus, id est, quæ à clero regi solvitur, et Gallico idionate vocatur decimes, institutionem. Undè et hanc esse primam decimam clero impostam, quæ vocatur decima Saladini, communiter notant autores de hac specie decimæ tractantes.*”

*Jur. Eccles.*  
Univ. P. II.  
Tit. XXXV. c. III.  
p. 633.

ble and prudential motives, to refund it as an unnecessary or illegal exaction, caused it again to be distributed, by the rural deans, among the persons from whom it had been unjustly extorted;—the same officers, in all probability, having been the agents of the original levy.

The latter date, or about *A.D.* MCLXX., affords the earliest notice of deans in the capacity of public *tax-collectors*, civil or ecclesiastical, in the councils of Great Britain and Ireland. But in the fynodal collections of France they appear many centuries earlier. In the *Capitula* of Charles the Bald, edited by Sirmond (*Paris, MDCXXIII.*), we find the following canon, passed at the fynod of Touloufe (*A.D.* DCCCXLIII.), cap. III. “*Ut presbyteri qui propè civitatem quinque miliaria commanent, per famulos suos prædictam dispensam reddi in civitate cui jusserit civitatis episcopus, faciant. Qui autem longiùs ab urbe commanent, statuant episcopi loca convenientia per decanias, sicut constituti sunt archipresbyteri, quo similiter et eadem propinquitate cæteri presbyteri per famulos suos debitam dispensam archipresbyteris aut episcoporum ministris concehant, &c.*”

*Kavali Colvi et  
Successorum  
Capitula. v.  
c. III. p. 40.*

But to return home again:—In the thirteenth century, the *Saladinides* again appear, and deans rural as official *gatherers* of them in England. When Pope Innocent IV. (*A.D.* MCCLIII.) granted three years' *tenths* to Henry III. of all the spiritualities of our island, and deputed Walter de Suthfield, bishop of Norwich, to take the *valuation*, the *impost* was levied (*A.D.* MCCLIV.), in each *deanry*, by the rural dean, assisted by three rectors or vicars, members of his chapter; who, upon oath, certified the justness of the estimate of every church-

*Paroch. Antiq.  
Vol. I. pp. 440,  
445, 446, 447.*

*Angl. Sacr. P. I.  
p. 411. de Epi-  
scop. Norwicens.  
XLVIII.  
Annal. Burton.  
sub anno, p. 334.*

revenue within their knowledge, and returned the same, *in scriptis*, to the bishop<sup>1</sup>.

See Capitular  
Duties

CC. M. B. et H.  
Vol. II. p. 180.

The same rural functionaries were *valuators* under the subsequent *taxation* of Pope Nicholas IV., and *collected* the *decimal imposts* on<sup>2</sup> the estimation of ecclesiastical benefices, commenced in the year MCCLXXXVIII. and completed in MCCXCII. by John de Pontoys, or Pontiferra, bishop of Winchester, and Oliver Sutton, bishop of Lincoln, the principal executors under the Pope's Bull for granting six years' *tenths* to Edward I., towards defraying the expence of an expedition to the Holy Land.

*Taxatio Ecclesie  
Anglicæ &c.  
Introduction by  
Caley.*

The *taxation* of the years MCCLIII.--MCCLIV. is sometimes called Pope Innocent's *Valor*, sometimes the *Vetus Valor*, and sometimes the *Norwich Taxation*: that of MCCLXXXVIII. has been sometimes described under the name of *Vetus Valor*. *Deans* rural do not appear to have been generally concerned in the *ecclesiastical valua-*

Pegge's *Groffe-  
teste*, p. 341. *Ap-  
pendix*, No. VIII.

(<sup>1</sup>) "The value of benefices," says Dr. Pegge, "would be often altering, from various causes; which made it necessary for *valors* to be renewed from time to time: but we are not to suppose that a new one was always made when a new *subsidy* was granted either to the king or pope; for, on many occasions, the *collectors*, no doubt, proceeded by the last *valor*, as the authentic standard; though, in other cases, we find the former *taxations* superseded and rejected, and a new one expressly directed to be made. This, however, may be concluded; that all *subsidies* granted by the clergy after the year MCCXXIX. (or after the year MCCXLV., if a new standard was then made), and before the year MCCLIV., were regulated by the estimate of the year MCCXX.; and all after MCCLIV. went upon the valuation then made, till MCCXCI."

(<sup>2</sup>) This *valuation* regulated *royal* and *papal taxes* till the twenty-sixth of Henry VIII. See Blomefield's *Norfolk*, Vol. I. p. 19. note 9. 2d Edit.



tion of Henry VIII.<sup>1</sup>, though the names of persons holding the office are recorded at the head of each *Deanry*, in which the office obtained at that time. Still, as<sup>2</sup> the royal commission authorized "the commissioners" to "fende for fuche and so many of the bushoppys and archdeacons scribes and ministers within the lymyttys of ther commission as they should think mooste convenient for knowlaige to be hadd of the nombre and namys of all *Deanries* rurall within the lymytt of ther commission and in whos dioces or jurisdiction the said *Deanries* ben"—it is probable that the rural *Deans* were turned to useful account by "the commissioners:" and in one particular instance, (that of the *Dean* of Hecham in the diocese of Norwich,) it appears that "the commissioners" *did* avail

*Valor Eccles.  
Hen. VIII.  
Royal Instructions for taking  
the Survey.*

Vol. VI. I. From  
the Augmentation  
Office. See  
Appendix, Nor-  
wich Documents.

(<sup>1</sup>) This *Valor* is the Report of an Ecclesiastical survey, made in pursuance of an Act of Parliament 26 Henr. VIII.; and returned into his Majesty's Court of *First Fruits and Tenths*, for ascertaining the yearly values of all the possessions, manors, lands, tenements, and hereditaments, appertaining to any monastery, priory, church, parsonage, vicarage, free-chapel, &c. within this realm, Wales, Calais, Berwick, and the Marches.

(<sup>2</sup>) Extracted from the *Instructions* as they appear in the *Valor Ecclesiasticus*, Henr. VIII. "Item to serche and knowe the nombre and namys of evy archidiaconry and *Deanries* rurall within the lymytts of ther commission aswell in placis exempt as not exempt and in whos dyoces or jurisdiction they lien and the hole and entire yerly value of evy of them as well in spiritualities as in temporalities if any be and the nombre namys and contentie of the temporalities yf any be and where they lien and their distinct and severall yerly values and the names nombre and nature of the spiritualities and ther severall yerly values coōbs annis and what annuell and perpetuall rents pensions and fees for receyvers bailiffs auditors and stewards only and none other officers ben yerly accustomed to be resolute and paid oute of any of the said archidiaconries or *Deanries* rurall and the namys of the persons to whome fuche rents pensions and fees ben yerly paid."

*Valor Eccles.  
Henric. VIII.  
Instructions.*

Appendix, Nor-  
wich Documents.

themselves of the knowledge and influence of "John Rufe, Dean of the Deanrie of Hecham," to obtain the required information—See *Decanatus de Hecham. Com. Norf.*; where the precept to the said Dean from the said commissioners is given. But such employments of Deans rural are foreign to the section of their office we are at present engaged upon; which is the *collecting ecclesiastical taxes*, not the *appreciation of ecclesiastical benefices*. The latter branch of Decanal duty will come to be discussed under capitular functions, and therefore we shall say no more about it here.

Gloss. Arch.  
in voce p. 490.

Whether it was a *general* custom for Deans rural to collect<sup>1</sup> the *Rome-scot* or *Rome-penny* ("*census annuus*

Dr. Brady's *Hist.*  
*of England*,  
pp. 108-9. and  
notes there.  
*CC. M. B. et H.*  
Vol. i. pp. 155,  
245, 302.

(<sup>1</sup>) The *Hearth-penny*, as it was called, was first imposed by Ina, king of Wessex (*A.D.* DCCXXI.), as alms to an English school at Rome. It was continued by Offa, king of Mercia, (*A.D.* DCCCLXXVII.), and by Ethelwolf:—was established by the laws of Canute (cap. 9.); of Edgar (cap. 54.); of Edward the Confessor (cap. 10.); William the Conqueror (cap. 18.); Henry I. (cap. 11.); and perpetuated, with a temporary suspension only during the reign of Edward III., till Henry VIII., who abrogated it (*ann.* 25. c. 25). It was revived *ann.* 1 & 2 Philip and Mary, and finally put an end to *ann.* 1 Elizab. (cap. 1.)

*CC. M. B. et H.*  
Vol. i. p. 221.

The *Collectors* in the middle of the tenth century, as appears from the *LL. presbyterorum Northumbrensium*, were two trusty thegns and a presbyter in each *wapentake* of the kingdom of Northumbria—" *Duo fideles thani et unus presbyter in quolibet wapentachio nominentur, ut eum colligant, ac deinde tradant prouti audeant jurare.*"

One half only of the annual pension was appropriated to the purpose of Ina's bequest; the other went to the personal use of the Pope;—and instead of a voluntary donation, the *Rome-scot* became a standing *tax*. See Usserii de *Christian. Eccles. successf. et statu*, cap. vi. p. 220; Fuller's *Church Hist.* Cent. xvi. B. v. p. 197; Nath. Bacon's *Hist. & Polit. Discourse*, Part i. p. 20; and particularly Muratori *Antiq. Med. Ævi*, Tom. v. col. 827. a.

*unius denarii è quâlibet familiâ, Romæ perfolutus ad festum S. Petri,*" Spelman) in *all* *deanries*, does not appear: but, as the bishops were responsible for the payment to the papal chair, it is probable they delegated the actual *collecting* of the tribute ("a small summe in the single drops, but<sup>1</sup> swelling great in the general chanel,") to the most trustworthy personages in the rural church-police—archdeacons and archpriests. At all events, it is certain, the latter were the *collectors* of the diocese of Canterbury. The historian of the antiquities of that see informs us, in the brief interlude devoted to *deans* rural,

Fuller's *Church Hist.* Cent. viii. B. II. p. 98.

Sommer's *Antiquities of Canterbury*, Part I. p. 176.

The reader is aware, that *Hearth-penny* is thought to be the origin of *Hearth-silver*, also called *Smoke-silver*; for which see Spelman *in voce* *G.A.*—Blount suggests, that *smoke-silver* and *smoke-penny* are still paid to the ministers of certain parishes, and conceived to be given in lieu of tithe-wood, spent for fuel in the parishioners' houses. See Blount's *Law Dict.* tit. *Smoke-silver*, and *Ancient Tenures* by Beckwith. 4to. edit. p. 317. *Smoke-silver* was paid to the sheriff of Kent as a condition of tenure of a house and appurtenances at Greenwich—6*d.* annually.<sup>1</sup>

(<sup>1</sup>) A *Mss.* belonging to the cathedral of Chichester fixes the rates at which the several dioceses farmed *Peter-pence* to the Pope's collector, as follows:

	£	s.	d.		£	s.	d.
Cantuar. . . . .	7	18	0	Sarum . . . . .	17	0	0
London . . . . .	10	10	0	Winton. . . . .	17	6	8
Roffens. . . . .	5	10	0	Exon. . . . .	9	0	0
Norwic. . . . .	21	0	0	Wigorn. . . . .	10	5	0
Eliens. . . . .	5	0	0	Bath . . . . .	12	0	0
Lincoln. . . . .	42	0	0	Covent . . . . .	10	0	0
Cicestr. . . . .	8	0	0	Eborac. . . . .	11	10	0
Hereford . . . . .	6	0	0				

See *Encyclopædia Metropolitana*, article *Peter-pence*. It appears, from Ducange, that *Rome-scol* was paid to the Pope in France, Poland, and Bohemia; but by what officers it was collected, is not stated. See Ducange, in v. *Denarius* S. Petri.

in the chapter *on the ecclesiastical government of the city*, that they were the *gatherers* of the *hearth-pence* in their respective *decanates* within that diocese. And Mr. Battely, in his *Appendix* to Mr. Somner's *Supplement*, has published the original<sup>1</sup> injunction of the archdeacon under which they acted.

It is probable, too, Mr. Blomefield says, that the *deans* rural of the diocese of Norwich *collected* the *Rome-scot* impost for the Pope. But in the diocese of Sarum, it appears, from a document preserved in the miscellaneous collection of records entitled *Registrum Sancti Osmundi*, in the possession of the bishop of Salisbury, that, in the days of Hubert Walter (*A.D.* MCLXXXVIII.—MCXCIII.), the archdeacons and their *officials* were *collectors* of this tax. The church of Fichelden (now Figcheldean), and another called Alwardbirie (now Alderbury), are exempted from archidiaconal jurisdiction, save in this one particular—“*nisi tantum de denario Sancti Petri;*” in respect of which, it is expressly ordered “*ut respondeant archidiacono.*” But it was not uncommon for *deans* rural to act as officials to archdeacons; in which capacity they may have been employed *here* as *Rome-scot collectors* under the archdeacons.

Regis Sancti  
Osmundi Re-  
gistrum, fol. 61.  
XXXI. Tran-  
script, fol. 166.

No. xxxi. p. 59.  
Part II. Cantua-  
ria Sacra.

(<sup>1</sup>) “*Auctoritate apostolicâ singulis archidiaconis et eorum officialibus commissâ et demandatâ, nos officialis monemus vos rectores, vicarios, et capellanos ecclesiarum istius decanatus qui denarios Beati Petri erigere, colligere, et levare tenemini, primò, secundò et tertio, peremptoriè in hiis scriptis, quòd quilibet vestrum quatenus denarios hujusmodi pro suis locis teneatur solvere decano vestro, citra proximum capitulum integre persolvatis, alioquin ecclesias non solventium denarios hujusmodi per decanum loci ipsâ auctoritate apostolicâ ecclesiastico supponi canonicè volumus interdicto.*” (“*Injunctiones faciendæ et legendæ in capitulis generalibus bis in anno in archidiaconatu Cantuariensi celebrandis.*”)

A Bull of Pope John XXII., addressed (amongst superior prelates) to deans, archpriests, and plebans, for the support of apostolical Nuncios in England and France (A.D. MCCCXXVI.), empowers those spiritual rulers, through the medium and with the sanction of the prior of Saint Mary Southwerke, "*ad colligend. de bonis et beneficiis quibuscumque ecclesiasticis tam in Cantuar. provinciâ, quam Eboracen. pro singulis marcis singulos quadrantes &c.*"—and bids them deposit all *sums* so collected, without diminution, in the hands of the archbishop of Canterbury, in trust for the purposes specified, viz. certain arduous and important matters of embassy to King Charles of France, and King Edward and Queen Isabella of England<sup>1</sup>.

CC. M. B. et II.  
Vol. II. p. 535.

The last tribute I have to mention, as being gathered by deans rural, is the *synodal* or *cathedraticum*—"quod episcopus per diœcesim ambulans, in honorem cathedræ suæ ab ecclesiis colligebat." It was not, however, under the former title, paid to the bishop alone, though to him alone due of common right. The archdeacon sometimes claimed it upon the plea of composition and prescription. In the *Constitutions* of Giles de Bridport, bishop of Sarum (A.D. MCCLVI.), we read—"Capellani, personæ vel vicarii ecclesiarum debent synodalia; scilicet intra quindecim dies quilibet capellanus solet dare archidiacono XII. denar. ad natale Domini." When the deans of the country were subjected to archidiaconal as well as episcopal rule, and were ministerial to both alike, they probably received the *synodals* of both.

Spelman. Gloss.  
Archæol. p. 130.

CC. M. B. et II.  
Vol. I. p. 714.

(<sup>1</sup>) See a notice of deans rural as receivers of money collected under the Brief for the redemption of captives from the Turks, August 10, MDCLXX.—Appendix, Sarum Documents.



Kennett's *Mss.*  
*Addit. ex Reg.*  
*Parker*, p. 193.

Of their being *collectors* of these tributary payments in the name and behalf of their diocesan, the proof is clear, from a document still extant, under the form of a *commission* from the primate, during the vacancy of the see of Chichester, authorising the rural dean of Hastings to *collect* them:—" *Commissio facta per Matth. Cant. Ar'epum vacante sede Cicestr. dilecto sibi in Xto Thomæ Swayne cl'ico rectori eccl. de Farleigh decano rurali decanatus de Hastings ad finodalia per decanatum suum assignata colligend. intra festum S. Lucæ Evang. (dat. 18. Sept. MDLXVIII.)*—Again, among the duties of the decanal office of the diocese of Chester, it is noticed, in a patent of our *Appendix* (N<sup>o</sup>. v. *Chester Patents*), as incumbent on the patentee—" *Procuraciones ratione visitationis et finodalia ratione sinodorum nostrorum, de tempore in tempus debit. nomine nostro petend. et exigend. Recusantes verò procuraciones hujusmodi solvere per legitima juris remedia compellend. et coercend.*" See also in the *Appendix* (Diocese of Lincoln), "*Commissio ad audiendum Ratiocinia de redditibus archidiaconatus vacantis,*" N<sup>o</sup>. VII.

*Hist. of Norfolk*,  
 V. iv. p. 63.

The dean<sup>1</sup> of the deanry of the city of Norwich, Mr. Blomefield informs us, deputed his sub-dean to col-

Blomefield's  
*Norfolk*, V. iv.  
 p. 63.

(<sup>1</sup>) *A.D. MCCLXXXVI.* The dean of the deanry of the city of Norwich was committed to custody, on one occasion, by the itinerant justices, for exacting *hallidays toll* by his sub-dean, in too high a manner; but on his proving that he took of every great boat that came up to the city on a holiday 1d. only, and of each small one a *halfpenny*; of every cart 1d., and of every horse or man laden, an *halfpenny*; and of all bakers, butchers, and fishmongers, that sold their commodities on a holyday, 1d. each; and that his predecessors always had immemorially taken it; he was discharged.—Something of the same kind is related, in T. Martin's *Mss.* history, respecting the dues exacted by the rural dean of Thetford. Dr. Sutton's *Mss. Litter.*

lect the *synodals*, *procurations*, &c. for him; he being answerable to the archdeacon for 16s. *synodals* every Easter, and as much every Michaelmas; which he was to receive for him of the clergy of his deanry, estimated at 20s. The dean of Taverham paid to the archdeacon 20s. at Easter and Michaelmas; the *synodals*, due at each season, from each church, being 6d. It seems, also, from the account of the other rural deanries of Norfolk, that it was the office of the deans to *collect* these and other dues from the churches of their respective deanries.

Vol. vii. p. 211.  
Vol. x. p. 398.

That deans rural did not always act honestly in their vocation of *synodal collectors*, may be inferred from the twenty-first canon of the provincial council of Dublin (A.D. MCCCXLVIII.)—"Statuimus quòd illi, qui decanos rurales eligunt, pro hujusmodi decanis ruralibus, si in officio maleversati fuerint, seu de perquisitis et synodalibus loci diocesano minimè satisfecerint, pro illis respondeant et satisfaciant competentèr, et si per ministrum fuerit initiatus, quòd ipse respondeat pro assumpto."

CC. M. B. et H  
Vol. ii. p. 750.

The council of Augsbourg (A.D. MDCX.) under Bishop Henry à Knöringen bids deans rural to be faithful in collecting *cathedratica*, *first-fruits*, and *subsides of charity*—"Ad cathedraticum, primarios fructus, subsidia charitativa, et id genus alia quod attinet, decanus cum camerario se in illis more antiquo colligendis, fideles præsent, additâ etiam, si opus fuerit, ne ecclesia veteri suo jure privetur, arrestatione." And nearly the same words appear in an earlier council of Constance (A.D. MDLXVII.) under Cardinal Sitic. See *Appendix, Continental Documents*, dioceses of Augsbourg and Constance,

CC. Germanie,  
Vol. ix. p. 65.

Another episcopal tribute, denominated *Pentecostals*,

Gibson's *Codex*  
*I. E. A.* Tit. XLII.  
cap. IX. p. 976.

or *Whitsun-farthings* (so called from the usual time of payment), was, probably, also *collected* by the deans rural though no example thereof has occurred to my notice. They were, at first, *oblations*, but grew, by degrees, into fixed and certain payments, from every parish and every house in it. In some cathedrals, deans and prebendaries are entitled to receive these offerings; and in others, again, they are paid to the archdeacons. See Ayliffe's *Parergon I. C. A.* p. 434.

END OF VOL. I.

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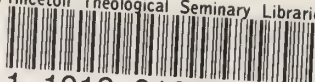
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